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Canada. External Affairs, Dept. of.

(DOMINION OF CANADA)

TREATY SERIES, 1934

(No. 13)

2 vol. in 1.

INDEX

TO

TREATY SERIES

1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935

Price, 25 cents





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TO  
TREATY SERIES  
1934

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1935





# TREATY SERIES, 1934

## CLASSIFIED INDEX

### GENERAL TREATIES TO WHICH CANADA IS A PARTY

No.	Nature of Instrument	Place and Date of	
		Signature	Canadian Ratification (Deposit)
3	<p>International Convention. Telecommunications.</p> <p>Canada, Union of South Africa, Argentine Republic, Commonwealth of Australia, Austria, Belgium, Belgian Congo, Bolivia, Brazil, British India, Chile, China, Costa Rica, Cuba, Curacao and Surinam, Cyrenaica, Czechoslovakia, Danzig Free City, Denmark, Dominican Republic, Dutch East Indies, Egypt, Ecuador, Republic of El Salvador, Erythrea, Empire of Ethiopia, Finland, France, French Colonies, Protectorates and Territories under French Mandate, Germany, the United Kingdom of Great Britain and Northern Ireland, Greece, Guatemala, Hungary, Iceland, Irish Free State, Italian Islands of the Aegean, Italian Somaliland, Italy, Japan, Chosen, Taiwan, Karafuto, the Leased Territory of Kwantung and the South Seas Islands under Japanese Mandate, Yugoslavia, Latvia, Liberia, Lithuania, Luxemburg, Mexico, Morocco, The Netherlands, New Zealand, Nicaragua, Norway, Republic of Panama, Peru, Persia, Poland, Portugal, Portuguese Colonies, Roumania, Spain, Sweden, Syria and Lebanon, Swiss Confederation, Tripolitania, Tunis, Turkey, United States of America, Union of Soviet Socialist Republics, Uruguay, Vatican City State, Venezuela.</p>	<p>Madrid, Dec. 9, 1932</p>	<p>Madrid, March 6, 1934</p>
4	<p>Silver Agreement.</p> <p>Canada, Commonwealth of Australia, China, India, Mexico, Peru, Spain, United States of America.</p>	<p>London, July 22, 1933</p>	<p>Washington, March 28, 1934</p>
7	<p>International Convention. International Exhibitions.</p> <p>Canada, Albania, Australia, Austria, Belgium, Brazil, Colombia, Cuba, Denmark, Dominican Republic, France, Germany, Great Britain and Northern Ireland, Greece, Guatemala, Hayti, Hungary, Italy, Japan, Morocco, The Netherlands, Peru, Poland, Portugal, Roumania, Spain, Sweden, Switzerland, Tunis, Union of Soviet Socialist Republics, Yugoslavia.</p>	<p>Paris, Nov. 22, 1928</p>	<p>Paris, May 22, 1934</p>
8	<p>International Agreement and Protocol. Statistics of Causes of Death.</p> <p>Canada, Australia, Austria, Chile, Czechoslovakia, Egypt, Germany, Great Britain and Northern Ireland, Greece, Hungary, Irish Free State, Italy, Latvia, Mexico, New Zealand, Netherlands, Paraguay, Persia, Poland, Spain, Union of South Africa, United States of America, Venezuela.</p>	<p>London, June 19, 1934</p>	<p>Not required</p>

**CLASSIFIED INDEX—*Concluded***  
**GENERAL TREATIES TO WHICH CANADA IS A PARTY**

No.	Nature of Instrument	Place and Date of	
		Signature	Canadian Ratification (Deposit)
12	<p>Universal Postal Convention.</p> <p>Canada, Afghanistan, the Union of South Africa, Albania, Germany, United States of America, the whole of the Island Possessions of the United States of America other than the Philippine Islands, The Philippine Islands, the Kingdom of Saudi Arabia, Argentine Republic, The Commonwealth of Australia, Austria, Belgium, the Colony of the Belgian Congo, Bolivia, Brazil, Bulgaria, Chile, China, Republic of Colombia, Republic of Costa Rica, Republic of Cuba, Denmark, the Free City of Danzig, Dominican Republic, Egypt, Ecuador, Spain, the whole of the Spanish Colonies, Estonia, Ethiopia, Finland, France, Algeria, the French Colonies and Protectorates of Indo-China, the whole of the other French Colonies, the United Kingdom of Great Britain and Northern Ireland, Greece, Guatemala, Republic of Haiti, Republic of Honduras, Hungary, British India, Iraq, the Irish Free State, Iceland, Italy, the whole of the Italian Colonies, Japan, Chosen (Korea), the whole of the other Japanese Dependencies, Latvia, Levant States under French Mandate (Syria and Lebanon), Republic of Liberia, Lithuania, Luxemburg, Morocco (except the Spanish Zone), Morocco (Spanish Zone), Mexico, Nicaragua, Norway, New Zealand, Republic of Panama, Paraguay, Netherlands, Curacao and Surinam, Dutch East Indies, Peru, Persia, Poland, Portugal, Portuguese Colonies in West Africa, Portuguese Colonies in East Africa, Asia and Oceania, Roumania, Republic of San Marino, Republic of El Salvador, Territory of the Sarre, Siam, Sweden, Swiss Confederation, Czechoslovakia, Tunis, Turkey, the Union of Soviet Socialist Republics, the Eastern Republic of Uruguay, the State of the City of the Vatican, United States of Venezuela, Yemen and the Kingdom of Yugoslavia.</p>	Cairo, March 20, 1934	Cairo, Dec. 3, 1934

**TREATIES, ETC., WITH THE FOLLOWING COUNTRIES IN  
ALPHABETICAL ORDER**

No.	Nature of Instrument	Place and Date of	
		Signature	Ratification (Exchange)
2	Austria. Exchange of Notes. Extension for one year of the Commercial Arrangement of July 6/8, 1933.	London, Dec. 27, 1933 Feb. 12, 1934 Ottawa, Jan. 22, 1934	Not required
1	Germany. Exchange of Notes. Indefinite extension of Commercial "modus vivendi" of March 29/30, 1933.	Ottawa, Dec. 21, 1933 Montreal, Dec. 23, 1933	Not required
6	New Zealand. Trade Agreement. Extension in May, 1934, of the 1932 Agree- ment for a period of one year.	Ottawa and Wellington, April 23, 1932	Not required
11	Roumania. Exchange of Notes. Agreement for the waivers of Consular fees on Certificates of Origin.	Ottawa, July 27, 1934	Not required
10	United States. Load Line Convention.	Washington, Dec. 9, 1933	Washington, July 26, 1934
5	United States. Exchange of Notes. Prolonging the Radio Communications Agree- ment of October and December, 1928, and Janu- ary, 1929.	Ottawa, April 23, May 2 and 4, 1934	Not required
9	United States. Exchange of Notes. Extension for one year and modification of the Agreement of September 15/16, 1932, concern- ing flights of military aircraft.	Ottawa, May 21, June 2, July 12 and 20, 1934	Not required





DOMINION OF CANADA

TREATY SERIES, 1934

No. 1

EXCHANGE OF NOTES

(December 21 and 23, 1933)

EXTENDING INDEFINITELY THE COMMERCIAL  
"MODUS VIVENDI" OF MARCH 29-30, 1933

BETWEEN

CANADA AND GERMANY

IN FORCE JANUARY 1, 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
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# EXCHANGE OF NOTES

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OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935



EXCHANGE OF NOTES (DECEMBER 21 AND 23, 1933) EXTENDING INDEFINITELY THE COMMERCIAL "MODUS VIVENDI" OF MARCH 29/30, 1933, BETWEEN CANADA AND GERMANY

*The Secretary of State for External Affairs of Canada to the German Consul General for Canada.*

DEPARTMENT OF EXTERNAL AFFAIRS CANADA

OTTAWA, December 21, 1933.

SIR,

I have the honour to refer to your interview of December 6th with officials of my Department and of the Department of Trade and Commerce respecting the tariff relations between Canada and Germany at which you stated that your Government would be prepared to extend, indefinitely, the "modus vivendi" between Canada and Germany which expires December 31st next, provided that the new "modus vivendi" may be terminated at any time by either Government, and that, in the event of such termination, natural or manufactured products of either country would continue to enjoy, on importation into the other, the benefits of the agreement for a period of six weeks from the date of notice of termination.

I understand further that your Government would prefer that the extension of the "modus vivendi" be made by an Exchange of Notes in the same way in which it was first concluded rather than by the signature of a definitive Agreement.

In reply I have the honour to inform you that the Canadian Government is in agreement with the views expressed by you on behalf of the German Government and to this end a draft recommendation to the Governor General in Council has been drawn up according to the benefit of the Intermediate Tariff to German goods, indefinitely, from January 1, 1934, subject to termination after six weeks' notice. A copy of the draft recommendation is enclosed, and, if the considerations set forth therein are in accord with the views of your Government, I shall recommend the immediate passing of an Order-in-Council\* in such terms.

As you will be aware from my letter of October 4th, the policy of the German Government in restricting the amount of foreign exchange made available for the purchase of Canadian wood pulp has served to curtail one of the chief advantages which the Canadian Government had anticipated would accrue from the "modus vivendi" under which the German Government agreed to extend most-favoured-nation treatment to Canadian goods. Wood pulp for the manufacture of artificial silk is one of those few products in which our trade with Germany has attained a considerable volume in recent years. It may be pointed out that Canadian purchases of artificial silk yarn from Germany during the seven months from April to October, 1933, were valued at \$127,363, whereas during the same period the c.i.f. value of Canadian shipments to Germany of wood pulp for the manufacture of artificial silk was \$97,747. In view of the trade which Germany is now doing with Canada in artificial silk yarn, I trust that your Government will not impede the importation into Germany of Canadian wood pulp for the manufacture of artificial silk, this being one of the few products the trade in which we hoped to promote through the conclusion of the "modus vivendi" with Germany.

\* P.C. 2674, December 23, 1933. See *Canada Gazette*, January 6, 1934.

In connection with the extension of this "modus vivendi" the Canadian Government would appreciate an assurance from your Government that, in the event of quotas being established by your Government for the importation of any class of goods, the system shall not be so administered as to cause discrimination against goods produced or manufactured in Canada and that the conditions under which import licences may be obtained for the importation of such goods shall not be less favourable than those applied in the case of similar goods the produce or manufacture of any other foreign country.

I would also request you to draw the attention of your Government to the existing high rate of duty on canned lobsters imported into Germany. Canned lobsters are a distinctly Canadian product and Canada is the chief exporter of this commodity to European countries. A year ago, when the "modus vivendi" between the two countries was first brought into force, there was a conventional duty of 200 reichsmarks per 100 kilogrammes gross weight on canned lobsters, but this conventional duty ceased to be effective on February 15, 1933, when the former German Trade Treaty with Sweden expired. This brought into force the General Tariff of 800 reichsmarks per 100 kilogrammes gross weight on canned lobsters imported from all sources. Even at par of exchange the present rate is equivalent to 86½ cents per pound (much more if converted at the current rate) and is almost a prohibitive rate of duty. This rate is four times as high as the rate in force when the "modus vivendi" was entered into last year.

I have the honour to be,

Sir,

Your obedient servant,

R. B. BENNETT

*Secretary of State for External Affairs*

*The German Consul General for Canada to the Secretary of State for External Affairs of Canada.*

GERMAN CONSULATE GENERAL FOR CANADA

MONTREAL, December 23, 1933.

SIR,

I have the honour to acknowledge receipt of your letter of December 21st, in which you inform me that the Canadian Government is in agreement with the proposal of the German Government to extend, indefinitely, the "modus vivendi" between Germany and Canada, which expires December 31st next, provided that the new "modus vivendi" may be terminated at any time by either Government and that in the event of such termination natural or manufactured products of either country would continue to enjoy, on importation into the other, the benefits of the Agreement for a period of six weeks from the date of notice of termination.

I have also read the draft recommendation to the Governor General in Council enclosed with your letter, and I am authorized to say that the considerations set forth therein are in accord with the views of the German Government.

I have, therefore, the honour to declare, on behalf of my Government, that in view of the said Order-in-Council to be passed, Germany will continue, beyond December 31, 1933, to grant Canada most-favoured-nation treatment, reserving, however, the right to withdraw from the arrangement at any time. In the latter event the increased rates applicable by such an action shall not



apply to Canadian goods imported into Germany before the expiration of six weeks after the day on which the withdrawal has been notified to the Canadian Government.

I take it that as soon as the Order-in-Council is passed I shall be notified.

With regard to certain supplementary suggestions made in your letter, which, however, are not made a condition for the extension of the "modus vivendi" I have the honour to say that I have laid the suggestions before my Government for decision, and I shall transmit to you the views of my Government as soon as I have received an answer.

Availing myself of this opportunity to express to you my highest consideration,

I have the honour to be,

Sir,

Your obedient servant,

L. KEMPFF,

*German Consul General*



DOMINION OF CANADA

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TREATY SERIES, 1934

No. 2

EXCHANGE OF NOTES

(December 27, 1933, January 22 and February 12, 1934)

EXTENDING

FOR ONE YEAR THE TRADE AGREEMENT OF  
JULY 6-8, 1933

BETWEEN

CANADA AND AUSTRIA

---

IN FORCE JANUARY 1, 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
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# EXCHANGE OF NOTES

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IN FORCE JANUARY 1, 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935



EXCHANGE OF NOTES (DECEMBER 27, 1933, JANUARY 22 AND  
FEBRUARY 12, 1934) EXTENDING FOR ONE YEAR THE  
TRADE AGREEMENT OF JULY 6/8, 1934

*The Austrian Minister at London to the Secretary of the High Commissioner's  
Office for Canada in Great Britain, December 27, 1933.*

AUSTRIAN LEGATION

LONDON, 27th December, 1933.

SIR,

I thank you for your letter of the 22nd instant informing me of the telegraphic communication you have received from the Secretary of State, Department of External Affairs, according to which the Canadian Government is prepared to pass an Order in Council, extending the Tariff Agreement for one year from the 1st January, 1934, immediately on receipt of a telegraphic assurance that the Austrian Government is extending the Agreement for a like period.

I beg to advise you that I have just been instructed by the Austrian Federal Chancellery (Department for Foreign Affairs) to signify the agreement of the Austrian Government to the above arrangement.

I should therefore be most grateful to you if you would inform the Secretary of State by telegram that the Austrian Government on their part have taken steps to renew for one year the Agreement granting the benefits of the Austrian most-favoured-nation tariff to Canadian imports as heretofore.

Yours faithfully,

G. FRANCKENSTEIN

*Austrian Minister*

*The Secretary of State for External Affairs of Canada to the Austrian Minister  
at London.*

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA

OTTAWA, 22nd January, 1934.

MY DEAR MINISTER,

I regret that pressure of administrative duties has not given me an opportunity to reply at an earlier date to your letter of December 15th respecting the extension of the tariff arrangement between Canada and Austria which we negotiated during the World Economic Conference in London last summer. On December 20th I instructed the High Commissioner in London by cable to get in touch with you on the subject and I now wish to acknowledge your letter under reference and to express the hope that the extension of the Agreement may help to extend and facilitate the trade between our two countries. I enclose, for your information, copy of the Order in Council\* of December 29th, 1933, extending the benefits of the Canadian Intermediate Tariff to Austrian goods for one year from January 1st, 1934.

Yours sincerely,

R. B. BENNETT

\*P.C. 2705 December 29, 1933. See *Canada Gazette* January 13, 1934.

*The Austrian Minister at London to the Secretary of State for External Affairs  
of Canada.*

AUSTRIAN LEGATION

LONDON, 12th February, 1934.

Dear MR. PRIME MINISTER,

May I thank you for your letter of January 22nd, with which you kindly sent me copy of the Order in Council of December 29th, 1933, extending the benefits of the Canadian Intermediate Tariff to Austrian goods for one year as from January 1st, 1934.

Acting on your instructions, the High Commissioner for Canada in London was so good as to notify me immediately the Order in Council had been passed, so that I was able to inform my Government in good time that the tariff arrangement with Canada, to which they attach so much importance, had been extended for a further year.

Allow me to express to you my sincere gratitude for the kind assistance you have given to me on this as on previous occasions.

Yours sincerely,

G. FRANCKENSTEIN



DOMINION OF CANADA

---

TREATY SERIES, 1934  
No. 3

INTERNATIONAL  
TELECOMMUNICATION CONVENTION

TOGETHER WITH THE  
RADIOCOMMUNICATION REGULATIONS  
ANNEXED THERETO

AND THE  
FINAL PROTOCOL

---

Signed at Madrid, December 9, 1932.

---

Ratified by Canada, March 6, 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
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1935

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# INTERNATIONAL TELECOMMUNICATION CONVENTION

TOGETHER WITH THE

RADIOCOMMUNICATION REGULATIONS  
ANNEXED THERETO

AND THE

FINAL PROTOCOL

---

Signed at Madrid, December 9, 1932



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935



# INTERNATIONAL TELECOMMUNICATION CONVENTION

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*(Translation)*

## **INTERNATIONAL TELECOMMUNICATION CONVENTION**

**Concluded among the Governments of the  
Countries named below**

Union of South Africa; Germany; Argentine Republic; Commonwealth of Australia; Austria; Belgium; Bolivia; Brazil; Canada; Chile; China; Vatican City State; Republic of Colombia; French Colonies, Protectorates and Territories under French Mandate; Portuguese Colonies; Swiss Confederation; Belgian Congo; Costa Rica; Cuba; Curaçao and Surinam; Cyrenaica; Denmark; Danzig Free City; Dominican Republic; Egypt; Republic of El Salvador; Ecuador; Erythrea; Spain; United States of America; Empire of Ethiopia; Finland; France; The United Kingdom of Great Britain and Northern Ireland; Greece; Guatemala; Republic of Honduras; Hungary; Italian Islands of the Aegean; British India; Dutch East Indies; Irish Free State; Iceland; Italy; Japan, Chosen, Taiwan, Karafuto, the Leased Territory of Kwantung and the South Seas Islands under Japanese Mandate; Latvia; Liberia; Lithuania; Luxemburg; Morocco; Mexico; Nicaragua; Norway; New Zealand; Republic of Panama; the Netherlands; Peru; Persia; Poland; Portugal; Roumania; Italian Somaliland; Sweden; Syria and Lebanon; Czechoslovakia; Tripolitania; Tunis; Turkey; Union of Soviet Socialist Republics; Uruguay; Venezuela; Jugoslavia.

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The undersigned, plenipotentiaries of the Governments named above, being assembled in conference at Madrid, have, by common consent and subject to ratification, concluded the following Convention:

## CHAPTER 1

### Organization and Working of the Union

#### ARTICLE 1

##### Composition of the Union

1. The countries, parties to the present Convention, form the International Telecommunication Union, which replaces the Telegraph Union, and which is governed by the following provisions.

2. The terms used in the present Convention are defined in the Annexe thereto.

#### ARTICLE 2

##### Regulations

1. The provisions of the present Convention are completed by the following sets of Regulations:

Telegraph Regulations,  
Telephone Regulations,  
Radiocommunication Regulations (General Regulations and Additional Regulations),

which bind only the Contracting Governments which have undertaken to apply them, and solely in respect of the Governments which have undertaken the same obligation.

2. Only the signatories to the Convention or Governments acceding to this act are admitted to sign the Regulations or to accede to them. Signature of one, at least, of the sets of Regulations is obligatory for the signatories to the Convention. Similarly, the accession to one, at least, of the sets of Regulations is obligatory for Governments acceding to the Convention. The Additional Radiocommunication Regulations cannot, however, be signed or be the subject of accession unless signature or accession has been made in respect of the General Radiocommunication Regulations.

3. The provisions of the present Convention bind the Contracting governments in respect only of the services covered by the Regulations to which the Governments are parties.

#### ARTICLE 3

##### Accession of Governments to the Convention

1. The Government of a country, on whose behalf the present Convention has not been signed, may accede thereto at any time. This accession must include accession to one at least of the annexed sets of Regulations, subject to the observance of section 2 of Article 2 above.

2. The act of accession of a Government shall be deposited in the archives of the Government which received the Conference of plenipotentiaries by whom the present



Convention was concluded. The Government with which the act of accession is deposited notifies it to all the other Contracting Governments through the diplomatic channel.

3. Accession carries with it, of full right, all the obligations and all the advantages provided by the present Convention; in addition it involves the obligations and advantages provided by the particular Regulations which the acceding Governments undertake to apply.

#### ARTICLE 4

##### **Accession of Governments to the Regulations**

The Government of a country signatory or acceding to the present Convention may accede at any time to any set or sets of Regulations to which it has not bound itself, subject to the provisions of section 2 of Article 2. This accession is notified to the Bureau of the Union, which informs the other Governments concerned.

#### ARTICLE 5

##### **Accessions to the Convention and Regulations of Colonies, Protectorates, Overseas Territories or Territories under Sovereignty, Authority or Mandate of the Contracting Governments**

1. Each Contracting Government may declare, either at the time of its signature, ratification or accession, or later, that its acceptance of the present Convention includes all or a group or a single one of its colonies, protectorates, overseas territories or territories under sovereignty, authority or mandate.

2. The whole or a group or a single one of these colonies, protectorates, overseas territories or territories under sovereignty, authority or mandate may respectively, at any time, become the subject of a separate accession.

3. The present Convention does not apply to the colonies, protectorates, overseas territories or territories under sovereignty, authority or mandate of a Contracting Government, in the absence of a declaration to that effect made by virtue of section 1 of the present Article or of a separate accession made by virtue of section 2 above.

4. The declarations of accession made by virtue of sections 1 and 2 of the present Article shall be communicated through the diplomatic channel to the Government of the country on whose territory there was held the Conference of plenipotentiaries at which the Convention was drawn up, and a copy of it shall be forwarded by this Government to each of the other Contracting Governments.

5. The provisions of sections 1 and 3 of the present Article apply also to the acceptance of one or more of the sets of Regulations, or to accession to one or more of the sets of Regulations, subject to the provisions of section 2 of Article 2. This acceptance or accession is notified in conformity with the provisions of Article 4.

6. The provisions of the preceding paragraphs do not apply to the colonies, protectorates, overseas territories or territories under sovereignty, authority or mandate which are named in the preamble to the present Convention.

## ARTICLE 6

### **Ratification of the Convention**

1. The present Convention should be ratified by the signatory Governments and the ratifications shall be deposited, through the diplomatic channel, in as short a time as possible, in the archives of the Government of the country which received the Conference of plenipotentiaries by whom the present Convention was concluded; this Government shall notify the ratifications to the other signatory and acceding Governments, through the diplomatic channel, as and when they are received.

2. If one or more of the signatory Governments do not ratify the Convention, it shall not thereby be less valid for the Governments which have ratified it.

## ARTICLE 7

### **Approval of the Regulations**

1. Governments must make an announcement in as short a time as possible regarding their approval of the Regulations drawn up at the Conference. This approval is notified to the Bureau of the Union which informs the members of the Union.

2. If one or more of the Governments concerned does not notify such approval, the new Regulations shall not thereby be less valid for the Governments which have approved them.

## ARTICLE 8

### **Abrogation of Conventions and Regulations Previous to the Present Convention**

The present Convention and the Regulations annexed thereto abrogate and replace, in relations between the Contracting Governments, the International Telegraph Conventions of Paris (1865), of Vienna (1868), of Rome (1872) and of St. Petersburg (1875) and the Regulations annexed to them, and also the International Radiotelegraph Conventions of Berlin (1906), of London (1912) and of Washington (1927) and the Regulations annexed to them.

## ARTICLE 9

### **Execution of the Convention and Regulations**

1. The Contracting Governments undertake to apply the provisions of the present Convention and of the sets of Regulations accepted by them in all the offices and all the telecommunication stations established or worked by them, which are open to the international service of public correspondence, to the broadcasting service and to the special services governed by the Regulations.



2. They undertake, in addition, to take the necessary steps to impose the observance of the provisions of the present Convention and of the sets of Regulations which they accept, upon private enterprises recognized by them and upon other enterprises duly authorized to establish and operate telecommunication in the international service whether open or not open to public correspondence.

## ARTICLE 10

### **Denunciation of the Convention by Governments**

1. Each Contracting Government has the right to denounce the present Convention by a notification addressed through the diplomatic channel to the Government of the country in which was held the Conference of plenipotentiaries which concluded the present Convention, and communicated subsequently by that Government, also through the diplomatic channel, to all the other Contracting Governments.

2. This denunciation takes effect on the expiration of a period of one year from the day of the receipt of notification of it by the Government of the country in which was held the last Conference of plenipotentiaries. It affects only the party making the denunciation; for the other Contracting Governments the Convention remains in force.

## ARTICLE 11

### **Denunciation of the Regulations by Governments**

1. Each Government has the right to terminate the undertaking which it has made to execute a set of Regulations by notifying its decision to the Bureau of the Union, which informs the other Governments concerned. This notification takes effect after the expiration of a period of one year from the day of its receipt by the Bureau of the Union. It affects only the party making the denunciation; for the other Governments the set of Regulations in question remains in force.

2. The provisions of section 1 above do not remove the obligation for Contracting Governments to execute at least one of the sets of Regulations, as provided in Article 2 of the present Convention, and subject to the reservation mentioned in section 2 of the said Article.

## ARTICLE 12

### **Denunciation of the Convention and Regulations by Colonies, Protectorates, Overseas Territories or Territories under Sovereignty, Authority or Mandate of the Contracting Governments**

1. The application of the present Convention to a territory, made by virtue of the provisions of section 1 or of section 2 of Article 5, may be terminated at any time.

2. The declarations of denunciation contemplated in section 1 above are notified and announced in conformity

with the condition set out in section 1 of Article 10; they take effect in accordance with the provisions of section 2 of the same Article.

3. The application of one or more of the sets of Regulations to a territory, made by virtue of the provisions of section 5 of Article 5, may be terminated at any time.

4. The declarations of denunciation contemplated in section 3 above are notified and announced according to the provisions of section 1 of Article 11 and take effect in the manner prescribed in the same paragraph.

## ARTICLE 13

### **Special Arrangements**

The Contracting Governments reserve, for themselves, for the private enterprises recognized by them and for other private enterprises duly authorized to do so, the right to make special arrangements on the matters of service which do not concern the Governments in general. These arrangements, however, must remain within the limits of the Convention and the Regulations annexed thereto, so far as concerns the interference which their bringing into operation might be capable of producing with the services of other countries.

## ARTICLE 14

### **Relations With Non-Contracting States**

1. Each of the Contracting Governments reserves to itself and to the private enterprises recognized by it, the right to fix the conditions on which it admits telecommunications exchanged with a country which has not acceded to the present Convention or to the set of Regulations in which the provisions relating to the telecommunication in question is included.

2. If a telecommunication originating in a non-acceding country is accepted by an acceding country, it must be transmitted, and in so far as it follows the routes of a country acceding to the Convention and to the relative sets of Regulations, the obligatory provisions of the Convention and Regulations in question and the usual charges are applied to it.

## ARTICLE 15

### **Arbitration**

1. In the case of disagreement between two or more Contracting Governments in respect of the execution either of the present Convention or of the Regulations provided for by Article 2, the dispute, if not settled through the diplomatic channel, is submitted to arbitration at the request of any one of the Governments in disagreement.

2. Unless the parties to the dispute agree to use a procedure already established by treaties concluded between them for the settlement of international disputes, or the procedure contemplated in section 7 of the present Article, arbitrators shall be chosen as follows:—

3. (1) The parties decide, by mutual agreement, whether the arbitration shall be entrusted to individuals or to Governments or Administrations; in the absence of agreement it is referred to Governments.

(2) If arbitration is to be entrusted to individuals, the arbitrators must not be of the nationality of any of the parties concerned in the dispute.

(3) If arbitration is to be entrusted to Governments or Administrations, these must be chosen from among the parties to the agreement of which the application has given rise to the dispute.

4. The party which appeals to arbitration is regarded as the plaintiff. It chooses an arbitrator and notifies its choice to the opposite party. The defendant must then choose a second arbitrator within a period of two months from the receipt of the notification from the plaintiff.

5. If there are more than two parties, each group of plaintiffs or defendants proceeds to choose one arbitrator in accordance with the procedure indicated in section 4.

6. The two arbitrators thus chosen agree upon an umpire who, if the arbitrators are individuals and not Governments or Administrations, may not be of the nationality of any of the arbitrators or of any of the parties. If the arbitrators cannot agree upon the choice of an umpire, each arbitrator proposes an umpire not concerned in the difference. Lots are then drawn between the proposed umpires. The drawing of lots is performed by the Bureau of the Union.

7. Finally the parties in disagreement have the option of having their dispute settled by a single arbitrator. In that case, either they agree upon the choice of the arbitrator or else an arbitrator is chosen in accordance with the method indicated in section 6.

8. The arbitrators are free to settle the procedure to be followed.

9. Each party bears its own costs of the investigation of the dispute. The costs of arbitration are shared equally between the parties concerned.

## ARTICLE 16

### International Consultative Committees

1. Consultative committees may be set up with a view to study questions relating to the telecommunication services.

2. The number, composition, functions and working arrangements of these committees are defined in the Regulations annexed to the present Convention.

## ARTICLE 17

### Bureau of the Union

1. A central office, entitled Bureau of the International Telecommunication Union, functions in the conditions set out below:—

**2.** (1) Besides the tasks and operations contemplated in various other Articles of the Convention and Regulations, the Bureau of the Union is charged with:—

- (a) the preparatory work of Conferences and work following on Conferences, at which it is represented in a consultative capacity,
  - (b) providing, in agreement with the organizing Administration concerned, the secretariat of Conferences of the Union, and also, when it is asked to do so or when the Regulations annexed to the present Convention so provide, the secretariat of meetings of committees set up by the Union or placed under the control of the Union,
  - (c) issuing publications of which the general utility becomes evident between two Conferences.
- (2) It publishes periodically, with the help of the documents put at its disposal and of the particulars which it is able to collect, an informative and documentary journal on the subject of telecommunication.

(3) It must further at all times hold itself at the disposal of the Contracting Governments to furnish them, on points concerning international telecommunication, with opinions and information which they may need and which it is more likely to possess or better able to obtain than they are.

(4) It makes an annual report on its working which is communicated to all the members of the Union. Its accounts are submitted to the examination and approval of the Conferences, plenipotentiary or administrative, provided for by Article 18 of the present Convention.

**3.** (1) The general expenses of the Bureau of the Union must not exceed, per annum, the sums fixed in the Regulations annexed to the present Convention. These general expenses do not include:—

- (a) the expenses proper to the work of plenipotentiary or administrative Conferences,
- (b) the expenses proper to the work of regularly constituted committees.

(2) The expenses proper to plenipotentiary and administrative Conferences are borne by all the Governments taking part therein in proportion to the contribution which they pay for the working of the Bureau of the Union, in accordance with the provisions of sub-paragraph (3) below.

The expenses proper to meetings of regularly constituted committees are borne in accordance with the provisions of the Regulations annexed to the present Convention.

(3) The receipts and expenditure of the Bureau of the Union must form the subject of two separate accounts, one for the telegraph and telephone services and the other for the radioelectric service. The expenses proper to each of these two divisions are borne by the Governments acceding



to the relative sets of Regulations. For the apportionment of these expenses, the acceding Governments are divided into six classes, each contributing on the basis of a fixed number of units, namely:—

- 1st class: 25 units,
- 2nd class: 20 units,
- 3rd class: 15 units,
- 4th class: 10 units,
- 5th class: 5 units,
- 6th class: 3 units.

(4) Each Government informs the Bureau of the Union, either directly, or through the medium of its Administration, in which class its country should be placed. This classification is communicated to the members of the Union.

(5) The sums advanced by the Government which controls the Bureau of the Union must be reimbursed by the debtor Governments as soon as possible, and at the latest at the expiration of the fourth month following the month during which the account is sent. After this period the sums due are subject to interest, in favour of the creditor Government, at the rate of six per cent (6%) per annum, reckoned from the date of expiration of the period mentioned above.

4. The Bureau of the Union is placed under the supervision of the Government of the Swiss Confederation, which regulates its organization, controls its finances, makes the necessary advances and verifies the annual account.



## CHAPTER II

### Conferences

#### ARTICLE 18

##### **Conferences of Plenipotentiaries and Administrative Conferences**

1. The provisions of the present Convention are subject to revision by Conferences of plenipotentiaries of the Contracting Governments.

2. The revision of the Convention is undertaken when a previous Conference of plenipotentiaries has so decided or when at least twenty Contracting Governments have expressed a desire for it to the Government of the country in which the Bureau of the Union is installed.

3. The provisions of the Regulations annexed to the present Convention are subject to revision by administrative Conferences of delegates of the Contracting Governments which have approved the Regulations submitted to revision, each Conference itself fixing the place and date of the next meeting.

4. Each administrative Conference may admit the participation, in a consultative capacity, of private enterprises recognized by the respective Contracting Governments.

#### ARTICLE 19

##### **Change of Date of a Conference**

1. The date fixed for the meeting of a Conference, whether plenipotentiary or administrative, may be put forward or postponed on request made by at least ten of the Contracting Governments to the Government of the country in which the Bureau of the Union is installed, provided that the proposal obtains the approval of the majority of the Contracting Governments which have given their opinion within the prescribed period.

2. The Conference then takes place in the country originally designated, if the Government of that country agrees. If it does not agree, the Contracting Governments are consulted by the Government of the country in which the Bureau of the Union is installed.

#### ARTICLE 20

##### **Rules of Procedure of Conferences**

1. Before entering on its deliberations, each Conference adopts Rules of Procedure, which comprise the rules in accordance with which the discussions and work are organized and conducted.

2. For this purpose, the Conference takes as a basis the Rules of Procedure of the previous Conference, which it modifies if it thinks fit.

## ARTICLE 21

### Language

1. The language used for drawing up the acts of Conferences and for all the documents of the Union is French.

2. (1) In the discussions at Conferences, the French and English languages are admitted.

(2) Speeches delivered in French are immediately translated into English, and vice versa, by official translators of the Bureau of the Union.

(3) Other languages may also be used in the discussions at Conferences, on condition that the delegates using them make arrangements themselves for the translation of their speeches into French or English.

(4) Similarly, these delegates may, if they so desire, arrange for speeches delivered in French and English to be translated into their own language.

## CHAPTER III

### General Provisions

#### ARTICLE 22

##### **Telecommunication as a Public Service**

The Contracting Governments recognize the right of the public to correspond by means of the international service of public correspondence. The service, charges and safeguards shall be the same for all senders, without any priority or preference whatsoever not provided for by the Convention or the Regulations annexed to it.

#### ARTICLE 23

##### **Responsibility**

The Contracting Governments declare that they accept no responsibility towards users of the international telecommunication service.

#### ARTICLE 24

##### **Secrecy of Telecommunication**

1. The Contracting Governments undertake to adopt all possible measures, compatible with the system of telecommunication used, to ensure the secrecy of international correspondence.

2. Nevertheless, they reserve to themselves the right to communicate international correspondence to the competent authorities in order to ensure the application of their internal legislation, or the execution of international conventions to which the Governments concerned are parties.

#### ARTICLE 25

##### **Formation, Working and Protection of Installations and Channels of Telecommunication**

1. The Contracting Governments provide, in agreement with the other Contracting Governments concerned, and under the best technical conditions, the channels and installations necessary to ensure the rapid and uninterrupted exchange of telecommunication in the international service.

2. So far as possible these channels and installations must be operated according to the best methods and arrangements which practical experience of the service has made known and must be maintained in constant working order and kept abreast of scientific and technical progress.

3. The Contracting Governments ensure the protection of these channels and installations within their respective spheres of action.

4. Each Contracting Government provides and maintains at its own expense—in the absence of special arrangements fixing other conditions—the sections of international conductors included within the territorial limits of its country.

5. In countries where certain telecommunication services are performed by private enterprises recognized by the Governments, the above-mentioned undertakings are given by the private enterprises.

#### ARTICLE 26

##### **Stoppage of Telecommunication**

1. The Contracting Governments reserve to themselves the right to stop the transmission of any private telegram or radiotelegram which may appear dangerous to the security of the State, or contrary to the laws of the country, to public order or decency, subject to the obligation to notify the office of origin immediately of the stoppage of the said communication or any part of it, except when the issue of such notification may appear dangerous to the security of the State.

2. The Contracting Governments also reserve to themselves the right to cut off any private telephone conversation which may appear dangerous to the security of the State, or contrary to the laws of the country, to public order or decency.

#### ARTICLE 27

##### **Suspension of Service**

Each Contracting Government reserves to itself the right to suspend the international telecommunication service for an indefinite time, if it considers it necessary, either generally or only in certain relations and/or for certain kinds of correspondence, subject to the obligation to notify immediately each of the other Contracting Governments through the medium of the Bureau of the Union.

#### ARTICLE 28

##### **Investigation of Infringements**

The Contracting Governments undertake to furnish information to one another in respect of breaches of the provisions of the present Convention and of the sets of Regulations which they accept, in order to facilitate their further action.

#### ARTICLE 29

##### **Charges and Free Services**

The provisions regarding charges for telecommunication and the various cases in which free services are accorded are set out in the Regulations annexed to the present Convention.

#### ARTICLE 30

##### **Priority of Transmission of Government Telegrams and Radiotelegrams**

In transmission Government telegrams and radiotelegrams have priority over other telegrams and radiotelegrams except where the sender declares that he renounces this right to priority.

## ARTICLE 31

**Secret Language**

1. Government telegrams and radiotelegrams, and also service telegrams and radiotelegrams, may be expressed in secret language in all relations.

2. Private telegrams and radiotelegrams may be expressed in secret language in the relations between all countries except those which have previously notified, through the medium of the Bureau of the Union, that they do not admit this language for those categories of correspondence.

3. Contracting Governments which do not admit private telegrams and radiotelegrams in secret language originating in or destined for their own territory, must let them pass in transit, except in the case of suspension of service defined in Article 27.

## ARTICLE 32

**Monetary Unit**

The monetary unit used in the composition of the tariffs of the international telecommunication services and in the establishment of the international accounts is the gold franc of 100 centimes, of a weight of 10/31sts of a gramme and of a fineness of 0.900.

## ARTICLE 33

**Rendering of Accounts**

The Contracting Governments must account to one another for the charges collected by their respective services.



## CHAPTER IV

### General Provisions for Radiocommunication

#### ARTICLE 34

##### Intercommunication

1. Stations performing radiocommunication in the mobile service are bound, within the limits of their normal employment, to exchange radiocommunications reciprocally without distinction as to the radio electric system adopted by them.

2. Nevertheless, in order not to impede scientific progress, the provisions of the preceding paragraph do not prevent the use of a radioelectric system incapable of communicating with other systems, provided that such incapacity is due to the specific nature of such system and is not the result of devices adopted solely with the object of preventing intercommunication.

#### ARTICLE 35

##### Interference

1. All stations, whatever their object may be, must, so far as possible, be established and operated in such manner as not to interfere with the radioelectric communications or services of other Contracting Governments, or of private enterprises recognized by those Contracting Governments or other duly authorized enterprises which conduct a radiocommunication service.

2. Each of the Contracting Governments not itself operating systems of radiocommunication undertakes to require private enterprises which it recognizes and other enterprises duly authorized for that purpose to observe the provisions of section 1 above.

#### ARTICLE 36

##### Distress Calls and Messages

Stations taking part in the mobile service are bound to accept with absolute priority calls and messages of distress, whencesoever they may come, to reply in like manner to such messages and to give to them the effect which they require.

#### ARTICLE 37

##### False or Deceptive Distress Signals. Irregular Use of Call Signs

The Contracting Governments undertake to adopt the necessary steps to suppress the transmission or circulation of false or deceptive distress signals or calls and the use by a station of call signs which have not been regularly assigned to it.



## ARTICLE 38

**Restricted Service**

Notwithstanding the provisions of section 1 of Article 34, a station may be appropriated to a restricted international service of telecommunication determined by the object of the telecommunication or by other circumstances independent of the system used.

## ARTICLE 39

**Installations for National Defence**

1. The Contracting Governments reserve their entire liberty with regard to radioelectric installations not covered by Article 9, and especially with regard to military stations of the land, sea or air forces.

2. (1) Nevertheless, these installations and stations must, so far as possible, observe the provisions of the regulations relative to giving help in case of distress and to the measures to be taken to prevent interference. They must also, so far as possible, observe the provisions of the regulations regarding the types of waves and the frequencies to be used, according to the class of service which such stations perform.

(2) Moreover, if these installations and stations carry out an exchange of public correspondence or take part in the special services governed by the Regulations annexed to the present Convention, they must conform, in general, to the provision of the regulations for the conduct of such services.

## CHAPTER V

### Final Provision

#### ARTICLE 40

#### Entry into Force of the Convention

The present Convention will come into force on the first of January, one thousand nine hundred and thirty-four.

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In witness whereof the respective plenipotentiaries have signed the Convention in a single copy, which shall remain in the archives of the Government of Spain and of which a copy shall be delivered to each Government.

Done at Madrid the 9th of December, 1932.

For the Union of South Africa:

H. J. Lenton  
A. R. McLachlan

For Germany:

Hermann Giess  
Dr. Hans Carl Steidle  
Dr. Paul Jäger  
Dr. Hans Harbich  
Paul Münch  
Martin Feuerhahn  
Siegfried Mey  
Dr. Friedrich Herath  
Rudolph Salzmann  
Erhard Maertens  
Curt Wagner

For the Argentine Republic:

D. Garcia-Mansilla  
R. Correa Luna  
Luis S. Castiñeiras  
M. Sáenz Briones

For the Commonwealth of Australia:

J. M. Crawford

For Austria:

Dr. Rudolph Oestreicher  
Hans Pfeuffer

For Belgium:

B. Maus  
R. Corteil  
J. F. G. Lambert  
H. Fossion

For Bolivia:

Jorge Saénz

For Brazil:

Luis Guimarães

For Canada:

Alfred Duranleau  
W. Arthur Steel  
Jean Désy

For Chile:

E. Bermúdez

For China:

Lingoh Wang

For the Vatican City State:

Giuseppe Gianfranceschi

For the Republic of Colombia:

José Joaquín Casas  
Alberto Sánchez de Iriarte  
W. MacLellan

For the French Colonies, Protectorates  
and French Mandated Territories:

G. Carour

For the Portuguese Colonies:

Ernesto Julio Navarro  
Arnaldo de Paiva Carvalho  
José Méndes de Vasconcellos  
Guimarães  
Maria Correa Barata da Cruz

For the Swiss Confederation:

G. Keller  
E. Metzler

For Belgian Congo:

F. G. Tondeur

For Costa Rica:

A. Martín Lanuza

For Cuba:

Manuel S. Pichardo

## For Curaçao and Surinam:

G. Schotel  
Hoogewooning

## For Cyrenaica:

G. Gnome  
Jian Francesco della Porta

## For Denmark:

Kay Christiansen  
C. Lerche  
J. C. Gredsted

## For the Free City of Danzig:

Ing. Henryk Kowalski  
V. Zander

## For the Dominican Republic:

E. Brache Hijo  
Juan de Olózaga

## For Egypt:

R. Murray  
Mohamed Said

## For the Republic of El Salvador:

Raoul Contreras

## For Ecuador:

Hipólito de Mozoncillo  
Abel Romeo Castillo

## For Erythrea:

G. Gnome  
Jian Francesco della Porta

## For Spain:

Miguel Sastre  
Ramon Miguel Nieto  
Gabriel Hombre  
Francisco Vidal  
J. de Encio  
Tomàs Fernàndez Quintana  
Leopoldo Cal  
Trinidad Matres  
Carlos de Bordons

## For the United States of America:

Eugene O. Sykes  
C. B. Jolliffe  
Walter Lichtenstein  
Irvin Stewart

## For the Empire of Ethiopia:

Fekré

## For Finland:

Niilo Orasmaa  
Viljo Ylöstalo

## For France:

Jules Gautier

## For the United Kingdom of Great Britain and Northern Ireland:

F. W. Phillips  
J. Louden  
F. W. Home  
C. H. Boyd  
J. P. G. Worlledge

## For Greece:

Th. Pentheroudakis  
St. Nicolis

## For Guatemala:

Virgilio Rodriguez Beteta  
Enrique Traumann  
Ricardo Castañeda Paganini

## For the Republic of Honduras:

Ant<sup>o</sup> Graiño

## For Hungary:

Dr. François Havas  
Ing. Jules Erdöss

## For the Italian Islands of the Aegean:

G. Gnome  
E. Mariani

## For British India:

M. L. Pasricha  
P. J. Edmunds

## For the Dutch East Indies:

A. J. H. van Leeuwen  
van Dooren  
G. Schotel  
Hoogewooning

## For the Irish Free State:

P. S. Óh-Éigeartaigh  
E. Cúisín

## For Iceland:

G. Hliddal

## For Italy:

G. Gnome  
G. Montefinale

## For Japan,

## For Chosen, Taiwan, Karafuto, the Leased Territory of Kwantung and the South Seas Islands under Japanese Mandate:

Saichiro Koshida  
Zenshichi Ishii  
Satoshi Furihata  
Y. Yonezawa  
T. Nakagami  
Takeo Iino

## For Latvia:

B. Einberg

## For Liberia:

Luis Maria Soler

## For Lithuania:

Ing. K. Gaigalis

## For Luxemburg:

E. Jaques

## For Morocco:

Dubeauclard

## For Mexico:

G. Estrada  
Emilio Torres  
Agustin Flores Jr.  
S. Tayabas

## For Nicaragua:

José García-Plaza

## For Norway:

T. Engset  
Hermod Petersen  
Andr. Hadland

## For New Zealand:

M. B. Esson

## For the Republic of Panama:

M. Lasso de la Vega

## For the Netherlands:

H. J. Boetje  
H. C. Felser  
C. H. de Vos  
J. A. Bland van den Berg  
W. Dogterom

## For Peru:

Juan de Osma

## For Persia:

Mohsen Khan Raïs

## For Poland:

Ing. Henryk Kowalski  
St. Manozarski  
Kazimierz Goebel  
K. Krulisz  
Kazimierz Szymanski

## For Portugal:

Miguel Vaz Duarte Bacellar  
José de Liz Ferreira  
David de Sousa Pires  
Joãoquim Rodrigues Gonçalves

## For Roumania:

Ing. T. Tanasesco

## For Italian Somaliland:

G. Gneme

## For Sweden:

G. Wold

## For Syria and Lebanon:

M. Morillon

## For Czechoslovakia:

Ing. Strnad  
Dr. Otto Kučera  
Ing. Yaromir Svoboda  
Vaclav Kučera

## For Tripolitania:

G. Gneme  
D. Crety

## For Tunis:

Crouzet

## For Turkey:

Fahri  
I. Cemal  
Mazhar

## For the Union of Soviet Socialist Republics:

Eugène Hirschfeld  
Alexandre Kokadeev

## For Uruguay:

Ad referendum of the Government  
of Uruguay  
Daniel Castellanos

## For Venezuela:

César Marmol Cuervo  
Antonio Reyes

## For Yugoslavia:

D. A. Zlatanovitch

## INTERNATIONAL TELECOMMUNICATION CONVENTION, 1932

The following ratifications have been deposited:—

Belgium.. . . .	December 2, 1933
Belgian Congo and Ruanda-Urundi.. . . .	December 2, 1933
Netherlands.. . . .	December 23, 1933
Italy.. . . .	December 26, 1933
Vatican City State.. . . .	December 27, 1933
Finland.. . . .	December 30, 1933
Czechoslovakia.. . . .	January 5, 1934
Egypt.. . . .	January 11, 1934
Denmark.. . . .	February 6, 1934
Morocco.. . . .	February 25, 1934
Japan.. . . .	March 1, 1934
New Zealand.. . . .	March 5, 1934
Canada.. . . .	March 6, 1934
Iceland.. . . .	March 9, 1934
Australia.. . . .	March 20, 1934
Austria.. . . .	March 23, 1934
Syria and Lebanon.. . . .	May 22, 1934
Poland.. . . .	May 31, 1934
Luxemburg.. . . .	June 9, 1934
United States of America.. . . .	June 14, 1934
India.. . . .	June 20, 1934
Germany.. . . .	June 27, 1934
Spain.. . . .	June 27, 1934
Spanish Colonies and Spanish Zone of Morocco..	June 27, 1934
Persia.. . . .	July 20, 1934
Switzerland.. . . .	August 1, 1934
Yugoslavia.. . . .	August 28, 1934
Colombia.. . . .	November 7, 1934
Ethiopia.. . . .	November 14, 1934
Irish Free State.. . . .	February 15, 1935
Panama.. . . .	March 29, 1935
Albania.. . . .	May 6, 1935
Venezuela.. . . .	May 9, 1935
United Kingdom.. . . .	May 29, 1935
South Africa.. . . .	May 30, 1935
China.. . . .	June 5, 1935
Hungary.. . . .	June 10, 1935

The following States have acceded to the Convention:—

Bulgaria.. . . .	December 13, 1933
Hayti.. . . .	August 3, 1935



## ANNEXE

(See Article 1, Section 2)

### Definition of Terms Used in the International Telecommunication Convention

*Telecommunication.*—Any telegraphic or telephonic communication of signs, signals, writing, facsimiles and sounds of any kind, by wire, radio or other systems or processes of electric signalling or visual signalling (semaphores).

*Radiocommunication.*—Any telecommunication by means of Hertzian waves.

*Radiotelegram.*—A telegram originating in or destined for a mobile station, and transmitted over all or part of its course by the radiocommunication channels of the mobile service.

*Government telegrams and radiotelegrams.*—Those originating with:

- (a) the Head of a State;
- (b) a Minister who is a member of a Government;
- (c) the Head of a colony, protectorate, overseas territory or territory under sovereignty, authority or mandate of the Contracting Governments;
- (d) Commanders in Chief of military forces, land, sea or air;
- (e) diplomatic or consular agents of the Contracting Governments;
- (f) the Secretary General of the League of Nations, and also the replies to such communications.

*Service telegrams and radiotelegrams.*—Those originating with telecommunication Administrations of the Contracting Governments or of any private enterprise recognized by one of these Governments and relating to international telecommunication or to objects of public interest mutually agreed upon by such Administrations.

*Private telegrams and radiotelegrams.*—Telegrams and radiotelegrams other than service or Government telegrams and radiotelegrams.

*Public correspondence.*—Any telecommunication which the offices and stations, by virtue of their availability to the public, must accept for transmission.

*Private enterprise.*—Any individual or any company or corporation other than a governmental establishment or agency, recognized by the Government concerned, and operating telecommunication installations with a view to the exchange of public correspondence.



*Administration.*—A Government Administration.

*Public service.*—A service for the use of the public in general.

*International service.*—A telecommunication service between offices or stations of different countries or between stations of the mobile service, unless these latter are of the same nationality and are within the limits of the country to which they belong. An internal or national telecommunication service, which is capable of causing interference with other services outside the limits of the country in which it operates, is considered as an international service from the point of view of interference.

*Restricted service.*—A service which may only be used by specified persons or for particular purposes.

*Mobile service.*—A radiocommunication service effected between mobile stations and land stations and between mobile stations themselves, special services excluded.

**GENERAL RADIOCOMMUNICATION REGULATIONS  
ANNEXED TO THE INTERNATIONAL TELE-  
COMMUNICATION CONVENTION**

**ARTICLE 1**

**Definitions**

The following definitions complete those mentioned in the Convention:—

*Fixed station.*—A station not capable of moving which communicates, by means of radiocommunication, with one or more stations similarly established.

*Land station.*—A station not capable of moving which performs a mobile service.

*Coast station.*—A land station performing a service with ship stations. It may be a fixed station assigned also for communication with ship stations; it is then considered as a coast station only during the period of its service with ship stations.

*Aeronautical station.*—A land station performing a service with aircraft stations. It may be a fixed station assigned also for communication with aircraft stations; it is then considered as an aeronautical station only during the period of its service with aircraft stations.

*Mobile station.*—A station capable of moving which ordinarily does move.

*Station on board.*—A station placed on board a ship not permanently moored or on board an aircraft.

*Ship station.*—A station placed on board a ship not permanently moored.

*Aircraft station.*—A station placed on board any aircraft.

*Radiobeacon station.*—A special station of which the emissions are intended to enable a ship or aircraft station to determine its bearing or a direction in relation to the radiobeacon station, and, if practicable, also the distance which separates it from the latter.

*Direction-finding station.*—A station provided with special apparatus intended to determine the direction of emissions of other stations.

*Telephone broadcasting station.*—A station performing a telephone broadcasting service.

*Visual broadcasting station.*—A station performing a visual broadcasting service.

*Amateur station.*—A station used by an “amateur,” that is by a duly authorized person, interested in radio-electrical practice with a purely personal aim and without pecuniary interest.

*Private experimental station.*—A private station intended for experiments with a view to the development of radioelectric practice or science.

*Private radiocommunication station.*—A private station, not open to public correspondence, which is authorized solely to exchange with other "private radiocommunication stations" communications concerning the private business of the licensee or licensees.

*Frequency assigned to a station.*—The frequency assigned to a station is the mid-frequency of the band of frequencies in which the station is authorized to work. In general, this frequency is that of the carrier wave.

*Band of frequencies of an emission.*—The band of frequencies of an emission is the band of frequencies effectively occupied by that emission, for the type of transmission and the speed of signalling used.

*Frequency tolerance.*—The frequency tolerance is the maximum deviation permissible between the frequency assigned to a station and the actual frequency of emission.

*Power of a radioelectric transmitter.*—The power of a radioelectric transmitter is the power supplied to the aerial.

In the case of a modulated wave transmitter, the power in the aerial is expressed by two figures, one indicating the power of the carrier wave supplied to the aerial and the other the maximum percentage of modulation actually used.

*Telegraphy.*—Telecommunication by any system of telegraph signalling. The word "telegram" includes also "radiotelegram" except when the text expressly precludes such a meaning.

*Telephony.*—Telecommunication by any system of telephone signalling.

*General telecommunication system.*—The whole of the existing channels of telecommunication open to the public service, except the radiocommunication channels of the mobile service.

*Aeronautical service.*—A radiocommunication service effected between aircraft stations and land stations and by aircraft stations communicating between themselves. The term applies also to fixed and special radiocommunication services intended to ensure the safety of air navigation.

*Fixed service.*—A service of radioelectric communications of all kinds between fixed points, with the exception of broadcasting services and special services.

*Special service.*—A telecommunication service operating specially for the needs of a particular service of general interest not open to public correspondence, such as: a radio-beacon service, direction-finding, time signals, regular

meteorological bulletins, notices to navigators, press messages addressed to all stations, medical advice (radio-medical consultations), calibrated frequencies, emissions having a scientific object, etc.

*Telephone broadcasting service.*—A service carrying out the broadcasting of radiotelephone emissions specifically intended to be received by the public in general.

*Visual broadcasting service.*—A service carrying out the broadcasting of visual images, fixed or moving, specifically intended to be received by the public in general.

## ARTICLE 2

### **Secrecy of radiocommunications**

The Administrations undertake to adopt the measures necessary to prohibit and repress:

(a) the interception, without authority of radiocommunications not intended for the general use of the public;

(b) the divulgence of the contents, or simply of the existence, the publication or the use, without authorization, of radiocommunications intercepted deliberately or otherwise.

## ARTICLE 3

### **Licence**

1. (1) No sending station shall be established or worked by an individual person, or by any enterprise, without a special licence issued by the Government to which the station in question is subject.

(2) Mobile stations which have their port of registry in a colony, a territory under sovereignty or mandate, an overseas territory or a protectorate may be considered as subject to the authority of such colony, territories or protectorate, as regards the grant of licences.

2. The holder of a licence is required to preserve the secrecy of telecommunications, as provided in article 24 of the Convention. Moreover, the licence must provide that the interception of radiocommunication correspondence other than that which the station is authorized to receive, is forbidden, and that where such correspondence is involuntarily received, it must not be reproduced, communicated to others, or used for any purpose whatsoever, and even its existence must not be disclosed.

3. In order to facilitate the verification of licences issued to mobile stations, it is recommended that there should be added, where necessary, to the text written in the national language, a translation of the text in a language generally used in international relations.



4. The Government which issues a licence to a mobile station mentions therein the category in which such station is placed from the point of view of international public correspondence.

#### ARTICLE 4

##### Choice of Apparatus

1. The choice of radioelectric apparatus and devices to be used in a station is free, provided that the waves emitted comply with the provisions of the present Regulations.

2. Nevertheless, within the limits consistent with economic exigencies, the choice of transmitting, receiving and measuring apparatus must be guided by the latest technical progress, as indicated, for example, in the recommendations of the C.C.I.R.

#### ARTICLE 5

##### Classification of Emissions

1. Emissions are divided into two classes:

A. Continuous waves,

B. Damped waves,

defined as follows:

*Class A.*—Waves of which the successive oscillations are identical when the steady state is reached.

*Class B.*—Waves consisting of successive series of oscillations of which the amplitude, after having reached a maximum, decreases gradually.

2. Class A includes waves of the following types:

*Type A1.*—Continuous waves of which the amplitude or frequency is varied by telegraphic manipulation.

*Type A2.*—Continuous waves of which the amplitude or frequency is varied in accordance with a periodic law at audible frequency, combined with telegraphic manipulation.

*Type A3.*—Continuous waves of which the amplitude or frequency is varied in accordance with a complex and variable law at audible frequency. Radiotelephony is an example of this type.

*Type A4.*—Continuous waves of which the amplitude or frequency is varied in accordance with any frequency law at supersonic frequencies. Television is an example of this type.

3. The foregoing classification into waves of types A1, A2, A3 and A4, does not prevent the use, under conditions fixed by the Administrations concerned, of waves modulated or manipulated by methods not falling within the definitions of type A1, A2, A3 and A4.

4. These definitions do not relate to systems of sending apparatus.

5. Waves will be designated, in the first place, by their frequency in kilocycles per second (kc/s). The approximate length in metres will be shown after this



designation in brackets. In the present Regulations, the approximate value of the wave-length in metres is the quotient obtained by dividing the number 300,000 by the frequency in kilocycles per second.

## ARTICLE 6

### Quality of Emissions

1. The waves emitted by a station must be maintained at the authorized frequency, as exactly as the state of technical development permits, and their radiation must also be as free as practicable from all emissions which are not essential to the type of communication effected.

2. (1) The Administrations fix, for the different services, the characteristics relative to the quality of the emissions, and especially the accuracy and the stability of the frequency of the wave emitted, the level of harmonics, the width of the total band of frequencies occupied, etc., so that they correspond with technical progress.

(2) The Administrations agree to consider the tables (Appendix 1: table of frequency tolerances, Appendix 2: table of frequency band-widths occupied by emissions) as a guide indicating, for the different cases, the limits to be observed so far as possible.

(3) As regards the frequency band-widths occupied by emissions, account must be taken, in practice, of the following conditions:

- 1st Width of the band given in Appendix 2.
- 2nd Variation of the frequency of the carrier wave.
- 3rd Supplementary technical conditions, such as the technical possibilities relative to the form of the characteristics of the filter circuits, for transmitters as well as receivers.

3. (1) The Administrations will frequently verify that the waves emitted by stations subject to their authority are in accordance with the provisions of the present Regulations.

(2) Endeavour will be made to secure international collaboration in this matter.

4. In order to reduce interference in the band of frequencies above 6,000 kc/s (wavelengths below 50 m), it is recommended that, when the nature of the service permits, directive aerial systems should be used.

## ARTICLE 7

### Distribution and Use of Frequencies (Wave-Lengths) and Types of Emission

1. Subject to the provisions of section (5) of section 5 below, the Administrations of the contracting countries may assign any frequency and any type of wave to any radioelectric station under their authority, upon the sole condition that no interference with any service of another country results therefrom.

2. The Administrations agree, however, to assign to stations, which, by reason of their nature, are capable of causing serious international interference, frequencies and types of waves in conformity with the rules for the distribution and use of waves as set forth below.

3. The Administrations also undertake to assign frequencies to these stations, according to the type of service, in conformity with the table of distribution of frequencies (see table below).

4. In the case where bands of frequencies are assigned to a specific service, the stations engaged in such service must use frequencies which are sufficiently remote from the limits of such bands as not to produce serious interference with the working of stations engaged in services to which the immediately adjacent bands of frequencies are allotted.

5. (1) The frequencies assigned by the Administrations to all fixed, land and broadcasting stations and the maximum power contemplated must be notified to the Bureau of the Union for publication, when the stations in question are intended to carry out a regular service and are capable of causing international interference. The frequencies on which a coast station receives in carrying out a specialized service with ship stations using stabilized transmitters, must also be notified to the Bureau of the Union for publication. Frequencies must be chosen so as to avoid, as far as possible, interference with international services of the contracting countries which are being carried out by existing stations of which the frequencies have already been notified to the Bureau of the Union. The notification stipulated above must be made in accordance with the provisions of Article 15, section 1, (b) and Appendix 6 before the frequency is brought into use and early enough to permit Administrations to take all steps which seem to them to be necessary in order to ensure the proper working of their services.

(2) (a) When, however, the frequency which an Administration intends to assign to a station is a frequency outside the bands authorized by the present Regulations for the service in question, this Administration shall make the notification provided for in the preceding subparagraph, by means of a special announcement at least six months before the frequency is brought into use and, in urgent cases, at least three months before that date.

(b) The procedure for notification indicated above shall also be observed when an Administration has the intention of increasing the power, or of authorizing an increase in the power, or a change in the conditions of radiation of a station already working outside the authorized bands, even if the frequency used is to remain unaltered.

(c) In the case of stations which, at the time of entry into force of the present Regulations, are already

working outside the bands authorized therein, the frequency used and the power employed shall be immediately notified to the Bureau of the Union for publication, in so far as such notification has not already been made.

(3) (a) The Administrations concerned will agree among themselves, when necessary, as to the waves to be assigned to the stations in question as well as to the conditions of use of the waves so assigned.

(b) The Administrations of any region may conclude, in conformity with Article 13 of the Convention, regional arrangements concerning the distribution of bands of frequencies to the services of the countries participating, or of frequencies to stations of these countries, and the conditions of use of the waves so assigned. The provisions of section 1 and those of section 5 (1) and (2) apply also to all agreements of this kind.

(4) The Administrations concerned make the necessary arrangements to avoid interference and, if need be, will have recourse, for this purpose, in conformity with the procedure arranged between them by bilateral or regional agreements, to organizations either of technical experts or of both technical and conciliation experts. If no agreement for the avoidance of interference can be reached, the provisions of Article 15 of the Convention may be applied.

(5) (a) So far as concerns European broadcasting and without prejudice to any right which extra-European Administrations may possess by virtue of the present Regulations, the following methods, which may be abrogated or modified by agreement between the European Administrations and which in no way modify the provisions of subparagraph (2) above, are employed in the application of the principle enunciated in section 1.

(b) In the absence of previous agreement between the Administrations of the European contracting countries, the option contemplated in section 1 may not be used, within the limits of the European region, for the purpose of effecting a broadcasting service outside the bands authorized by the present Regulations on frequencies below 1,500 kc/s (wave-lengths above 200 m).

(c) The Administration which desires to establish such a service or to obtain a modification of the conditions fixed by a previous agreement relating to such a service (frequency, power, geographical position, etc.) informs the European Administrations through the medium of the Bureau of the Union. Any Administration which has not answered within six weeks of receiving the communication in question will be considered as having given its consent.

(d) In the case of a European broadcasting station working outside the authorized bands of frequencies, it is understood that such previous agreement will also be necessary on every occasion when, a change, which might affect the conditions of international interference, is to be made in the characteristics, which have been previously notified to the Bureau of the Union.

6. (1) In principle, the power of broadcasting stations must not exceed a value which permits in an economic manner of the maintenance of an effective national service of good quality within the limits of the country concerned.

(2) In principle, the sites of powerful broadcasting stations, and more especially of those which work near the limits of the bands of frequencies reserved for broadcasting, must be chosen so as to avoid, so far as possible, causing difficulty to broadcasting services of other countries or to other services working on adjacent frequencies.

7. The following table gives the distribution of frequencies (approximate wave-lengths) between the various services.

**Allocation of Bands of Frequencies Between 10 and 60,000 kc/s (30,000 and 5 m)**

Frequencies  kc/s	Wave-lengths  m	S E R V I C E S	
		General allocation	Regional agreements
			European Region (*)      Other Regions
10-100	30,000-3,000	Fixed.	
100-110	3,000-2,727	(a) Fixed. (b) Mobile.	
110-125	2,727-2,400	Mobile.	
125-150 (1)	2,400-2,000	Maritime mobile (open to public correspondence exclusively).	

(\*) *Definition of the European region:* The European region is defined on the North and West by the natural limits of Europe, on the East by the meridian 40° East of Greenwich and on the South by the parallel of 30° North so as to include the Western part of the U.S.S.R. and the territories bordering the Mediterranean, with the exception of the parts of Arabia and Hedjaz included in this sector.

(1) The wave of 143 kc/s (2,100 m) is the calling wave of mobile stations using long continuous waves.



Frequencies kc/s	Wave-lengths m	S E R V I C E S		
		General allocation	Regional agreements	
			European Region	Other Regions
150-160	2,000-1,875	Mobile.		
160-285 ( <sup>4</sup> )	1,875-1,053		160-240 (1,875-1,250) Broadcasting( <sup>2</sup> ). 240-255 (1,250-1,176) (a) not open to public correspondence. (b) Broadcasting ( <sup>2</sup> ), ( <sup>3</sup> ).  255-265 (1,176-1,132) (a) Aeronautical. (b) Broadcasting ( <sup>2</sup> ), ( <sup>3</sup> ).  265-285 (1,132-1,053) Aeronautical.	160-194 (1,875-1,546) (a) Fixed. (b) Mobile.  194-285 (1,546-1,053) (a) Aeronautical. (b) Fixed not open to public correspondence. (c) Mobile except commercial ship stations.
285-290 ( <sup>5</sup> )	1,053-1,034		Aeronautical.	Radiobeacons.
290-315 ( <sup>5</sup> )	1,034-952	Radio-beacons.	Maritime Radio-beacons.	
315-320 ( <sup>5</sup> )	952-938		Maritime Radio-beacons.	Aeronautical.
320-325	938-923		Aeronautical.	(a) Aeronautical. (b) Mobile not open to public correspondence.
325-345 ( <sup>6</sup> )	923-870	Aeronautical.		
345-365	870-822		Aeronautical.	(a) Aeronautical. (b) Mobile not open to public correspondence.

(<sup>2</sup>) The European Administrations will agree among themselves to place in the band from 240 to 265 kc/s (1,250 to 1,132 m) broadcasting stations which, by reason of their geographical position, will not trouble services not open to public correspondence or air services. On the other hand, these services will organise themselves so as not to interfere with reception from broadcasting stations thus selected, within the limits of the national territories of these broadcasting stations.

(<sup>3</sup>) Services open to public correspondence will not be permitted in the bands intended for broadcasting, comprised between 160 and 265 kc/s (1,875 and 1,132 m), even under cover of Article 7 Section 1.

(<sup>4</sup>) The band of frequencies from 160 to 265 kc/s (1,875 to 1,132 m) is also assigned to Australia and New Zealand for broadcasting as a regional distribution. The Administrations of these two countries agree to place the stations which will emit in this band so as to avoid interference with other services in other regions.

(<sup>5</sup>) A band 30 kc/s wide, comprised between the limits of 285 and 320 kc/s (1,053 and 938 m) is assigned in each region to the radiobeacon service. In the European region, this band is reserved for maritime radiobeacons only.

(<sup>6</sup>) The wave of 333 kc/s (900 m) is an international calling wave for aircraft services.



Frequencies kc/s	Wave-lengths m	S E R V I C E S		
		General Allocation	Regional agreements.	
			European Region	Other Regions
365-385	822-779	(a) Direction-finding. (b) Mobile subject to not troubling Direction-finding. Coast stations using B waves excluded		
385-400	779-750		Not open to public correspondence.	Mobile.
400-460	750-652	Mobile.		
460-485	652-619	Mobile A1 and A2 only.		
485-515 (7)	619-583	Mobile (distress, calling, etc.).		
515-550 (8)	583-545	Not open to public correspondence A1 and A2 only.		
550-1,500 (9)	545-200	(a) Broadcasting. (b) Wave of 1,364 kc/s (220 m) A1, A2 and B for mobile services exclusively (10).		
1,500-1,715 (11) (14)	200-174.9		1,500-1,530 (200-196.1). (a) Fixed. (b) Mobile A1 and A2 only.  1,530-1,630 (196.1-184.0) Mobile A1, A2, A3. } (12)  1,630-1,670 (184.0-179.6) Maritime mobile calling wave (A3 only). } (13)  1,670-1,715 (179.6-174.9).  Maritime mobile (A3 only).	(a) Fixed. (b) Mobile.

(7) The wave of 500 kc/s (600 m) is the international calling and distress wave. The use of this wave is defined in Articles 19, 22 and 30.

(8) The European Administrations will agree among themselves to place in the band from 540 to 550 kc/s (556 to 545 m) broadcasting stations which, by reason of their geographical position, will not trouble either mobile services in the band from 485 to 515 kc/s (619 to 583 m) or services not open to public correspondence in the band from 515 to 550 kc/s (583 to 545 m).

On the other hand, the services not open to public correspondence will be organised so as not to interfere with reception from broadcasting stations thus selected within the limits of the national territory of these broadcasting stations.

(9) Mobile services may use the band from 550 to 1,300 kc/s (545 to 231 m) on condition that they do not interfere with the services of a country which uses this same band exclusively for broadcasting.

(10) On the frequency of 1,364 kc/s (220 m), waves of type B are forbidden between 6 p.m. and 11 p.m., local time, in all regions where their use is capable of interfering with broadcasting. In the North American region, however, only waves of type A1 are authorized during these hours.

(11) The frequency of 1,650 kc/s (182 m) is a calling wave for the mobile radiotelephone service with ship stations of low power. This calling wave is not obligatory and the date on which it shall become obligatory for each country will be settled by internal regulations.

Frequencies kc/s	Wave-lengths m	SERVICES		
		General Allocation	Regional agreements	
			European Region	Other Regions
1,715-2,000	174.9-150		1,715-1,925 (174.9-155.8) (a) Amateurs. (b) Fixed. (c) Mobile.	(a) Amateurs. (b) Fixed. (c) Mobile.
			1,925-2,000 (155.8-150). (a) Amateurs. (b) Maritime mobile (A3 only).	

(<sup>12</sup>) In principle, this band of frequencies is reserved for the telephone service with ship stations of low power. The European countries whose ships do not use this type of communication, will avoid, so far as possible, the use of telegraphy in this band in regions adjacent to those where this telephone service is worked.

(<sup>13</sup>) No traffic may be exchanged in the band 1,630 to 1,670 kc/s (184.0 to 179.6 m).

Calling on the wave of 1,650 kc/s (182 m) is not obligatory; its entry into force for each country will be settled by internal regulations.

(<sup>14</sup>) In the interior of Europe, the bands of frequencies from 1,530 to 1,630 kc/s and from 1,670 to 1,715 kc/s (196.1 to 184.0 m. and 179.6 to 174.9 m) may be used by short distance fixed services, on condition that they do not interfere with mobile services.

*Note.*—In addition to the exceptions stated in the notes on the preceding table, a European Conference, which will take place before the entry into force of the present Regulations, may decide, as an exceptional measure, to annex to its protocol certain special exceptions to the regional bands on which it may be able to decide, and which it thinks ought to appear therein.

Frequencies kc/s	Wave-lengths m	SERVICES
		General allocation
2,000-3,500	150.85-71	(a) Fixed. (b) Mobile.
3,500-4,000	85.71-75	(a) Amateurs. (b) Fixed. (c) Mobile.
4,000-5,500	75.54-55	(a) Fixed. (b) Mobile.
5,500-5,700	54.55-52.63	Mobile.
5,700-6,000	52.63-50	Fixed.
6,000-6,150	50.48-78	Broadcasting.
6,150-6,675	48.78-44.94	Mobile.
6,675-7,000	44.94-42.86	Fixed.
7,000-7,300	42.86-41.10	Amateurs.
7,300-8,200	41.10-36.59	Fixed.
8,200-8,550	36.59-35.09	Mobile.
8,550-8,900	35.09-33.71	(a) Fixed. (b) Mobile.
8,900-9,500	33.71-31.58	Fixed.
9,500-9,600	31.58-31.25	Broadcasting.

Frequencies kc/s	Wave- lengths m	SERVICES
		General allocation
9,600-11,000	31.25-27.27	Fixed.
11,000-11,400	27.27-26.32	Mobile.
11,400-11,700	26.32-25.64	Fixed.
11,700-11,900	25.64-25.21	Broadcasting.
11,900-12,300	25.21-24.39	Fixed.
12,300-12,825	24.39-23.39	Mobile.
12,825-13,350	23.39-22.47	(a) Fixed. (b) Mobile.
13,350-14,000	22.47-21.43	Fixed.
14,000-14,400	21.43-20.83	Amateurs.
14,400-15,100	20.83-19.87	Fixed.
15,100-15,350	19.87-19.54	Broadcasting.
15,350-16,400	19.54-18.29	Fixed.
16,400-17,100	18.29-17.54	Mobile.
17,100-17,750	17.54-16.90	(a) Fixed. (b) Mobile.
17,750-17,800	16.90-16.85	Broadcasting.
17,800-21,450	16.85-13.99	Fixed.
21,450-21,550	13.99-13.92	Broadcasting.
21,550-22,300	13.92-13.45	Mobile.
22,300-24,600	13.45-12.20	(a) Fixed. (b) Mobile.
24,600-25,600	12.20-11.72	Mobile.
25,600-26,600	11.72-11.28	Broadcasting.
26,600-28,000	11.28-10.71	Fixed.
28,000-30,000	10.71-10	(a) Amateurs. (b) Experiments.
30,000-56,000	10.5-357	Not reserved.
56,000-60,000	5.357-5	(a) Amateurs. (b) Experiments.

8. (1) The use of waves of type B is forbidden for all frequencies except the following:—

375 kc/s (800 m)  
 410 kc/s (730 m)  
 425 kc/s (705 m)  
 454 kc/s (660 m)  
 500 kc/s (600 m)  
 1,364 kc/s (220 m) (\*)

(\*) See note <sup>(10)</sup> to the table of distribution of frequencies.

(2) No new installations for the emission of type B waves may be fitted in ships or in aircraft, except when the

transmitters, working on full power, take less than 300 watts at audible frequency measured at the input of the supply transformer.

(3) The use of type B waves of all frequencies will be forbidden as from the 1st of January 1940, except for transmitters fulfilling the conditions as to power indicated in sub-paragraph (2) above.

(4) No new installation for the emission of type B waves may be fitted in a land or fixed station. Waves of this type shall be forbidden in all land stations as from the 1st of January, 1935.

(5) The Administrations will endeavour to abandon, as soon as possible, type B waves, other than the wave of 500 kc/s (600 m).

9. The use of type A1 waves only is authorized between 100 and 160 kc/s (3,000 and 1,875 m); the sole exception to this rule relates to waves of type A2 which may be used in the band from 100 to 125 kc/s (3,000 to 2,400 m) but only for the transmission of time signals.

10. In the band from 460 to 550 kc/s (652 to 545 m), no type of emission capable of rendering inoperative the distress, alarm, safety, or urgency signals, sent on 500 kc/s (600 m), is allowed.

11. (1) In the band from 325 to 345 kc/s (923 to 870 m) no type of emission capable of rendering inoperative the distress, safety, or urgency signals is allowed.

(2) This rule does not apply to regions where special agreements provide otherwise.

12. (1) In principle, any station conducting a service between fixed points on a wave with a frequency below 110 kc/s (wave-length above 2,727 m) must use one single frequency, chosen from the bands allocated to such service (section 7 above), for each of its transmitters capable of simultaneous operation.

(2) A station is not permitted to use for a service between fixed points, a frequency other than that assigned to it, as stated above.

13. In principle, stations use the same frequencies and the same types of emission for the transmission of messages by the one-way method as for their normal service. Regional arrangements may however be made for exempting the stations concerned from the application of this rule.

14. A fixed station may as a secondary service transmit to mobile stations on its normal working frequency subject to the following conditions:—

(a) the Administrations concerned consider it necessary to use this exceptional method of working;

(b) no increase of interference results.

15. In order to facilitate the exchange of synoptic meteorological messages in European areas, the frequencies



41.6 kc/s and 89.5 kc/s (7,210 m and 3,352 m) are assigned to this service.

**16.** To facilitate the rapid transmission and distribution of information necessary for the detection of crime and the pursuit of criminals, a frequency between 37.5 and 100 kc/s (wave-lengths between 8,000 and 3,000 m) shall be reserved for this purpose by regional arrangement.

**17.** Each Administration may assign to amateur stations bands of frequencies in conformity with the table of distribution (section 7 above).

**18.** With the object of reducing interference in the bands of frequencies above 4,000 kc/s (wave-lengths below 75 m), used by the mobile service, and, in particular, to avoid disturbing long-distance telephone communications in this service, the Administrations agree to adopt, so far as possible, the following rules, with due regard to current technical developments:—

(1) (a) In the bands of frequencies above 5,500 kc/s (wave-lengths below 54.55 m) assigned exclusively to the mobile service, ship stations participating in a commercial service shall use frequencies at the lower frequency (longer wave) ends of the bands and more especially those within the limits of the harmonic bands enumerated below:—

5,500 to	5,550 kc/s	(54.55 to 54.05 m)
6,170 to	6,250 kc/s	(48.62 to 48.00 m)
8,230 to	8,330 kc/s	(36.45 to 36.01 m)
11,000 to	11,100 kc/s	(27.27 to 27.03 m)
12,340 to	12,500 kc/s	(24.31 to 24.00 m)
16,460 to	16,660 kc/s	(18.23 to 18.01 m)
22,000 to	22,200 kc/s	(13.64 to 13.51 m)

*Note.*—The bands frequencies from 4,115 to 4,165 kc/s (72.90 to 72.03 m) may also be used by the stations mentioned above (see also (2) (c) below).

(b) Nevertheless, any commercial ship station of which the emission complies with the frequency tolerance required of land stations by section 2, (2) of Article 6, may transmit on the same frequency as the coast station with which it communicates.

(c) When communication, for which no special arrangement has been made, has to be established between a ship station on the one hand and another ship station or a coast station on the other hand, the mobile station shall use one of the following frequencies situated approximately in the middle of the bands:—

4,140 kc/s	(72.46 m)
5,520 kc/s	(54.35 m)
6,210 kc/s	(48.31 m)
8,280 kc/s	(36.23 m)
11,040 kc/s	(27.17 m)
12,420 kc/s	(24.15 m)
16,560 kc/s	(18.12 m)
22,080 kc/s	(13.59 m)



*Note.*—The Administrations agree to indicate, in notifying the frequency of a coast station, on which of the waves specified in sub-paragraph (1) (c) watch will be kept.

(2) (a) Ship stations participating in a commercial service shall not use the shared bands above 4,000 kc/s (wave-lengths below 75 m), unless their emissions comply with the frequency tolerances specified for land stations in section 2, (2) of Article 6. In such cases, the frequencies used must be chosen from those at the higher frequency (shorter wave) end of the shared band, and more especially from within the limits of the harmonic bands enumerated below:—

4,400 to 4,450 kc/s (68·18 to 67·42 m)  
 8,800 to 8,900 kc/s (34·09 to 33·71 m)  
 13,200 to 13,350 kc/s (22·73 to 22·47 m)  
 17,600 to 17,750 kc/s (17·05 to 16·90 m)  
 22,900 to 23,000 kc/s (13·10 to 13·04 m)

(b) Frequencies may also be used from that part of the band reserved for mobile services from 6,600 to 6,675 kc/s (45·45 to 44·94 m) which is in harmonic relation with the above-mentioned bands.

(c) The provisions of sub-paragraph (2), (a) do not apply to the part of the common band between 4,115 and 4,165 kc/s (72·90 and 72·03 m) which may be used by all ship stations participating in the commercial service.

(3) In selecting the frequencies of new fixed stations and coast stations, the Administrations will avoid using the frequencies in the bands specified in sub-paragraphs (1), (a), (2) (a), (2), (b), and (2), (c).

**19.** (1) It is recognized that the frequencies between 6,000 and 30,000 kc/s (50 and 10 m) are very effective for long-distance communications.

(2) The Administrations will endeavour, so far as possible, to reserve the frequencies in this band for that purpose, except when their use for short or medium-distance communications is not liable to interfere with long-distance communications.

**20.** In Europe, Africa and Asia, directional radio-beacons of low power, of which the range does not exceed about 50 kilometres, may use any frequency in the band from 1,500 to 3,500 kc/s (wave-lengths from 200 to 85·71 m) with the exception of the protective band from 1,630 to 1,670 kc/s (wave-lengths from 184 to 180 m), subject to the agreement of the countries whose services are liable to interference therefrom.

## ARTICLE 8

### Amateur Stations and Private Experimental Stations

**1.** The exchange of communications between amateur stations and between private experimental stations

in different countries is forbidden if the Administration of one of the countries concerned has notified objection to such exchange.

2. (1) When such exchange is permitted, the communications must be conducted in plain language and must be limited to messages relating to the experiments and to remarks of a personal character for which, by reason of their unimportance, recourse to the public telegraph service would be out of the question. The licensees of amateur stations are absolutely forbidden to transmit international communications on behalf of third parties.

(2) The above provisions may be modified by special arrangements between the countries concerned.

3. In amateur stations and in private experimental stations, authorized to make emissions, any person operating the apparatus, either on his own account or for another, must have proved his ability to transmit passages in the Morse Code and to read, in radiotelegraph reception by ear, passages thus transmitted. He may be replaced only by authorized persons possessing the same qualifications.

4. The Administrations take such measures as they think necessary to verify the qualifications, from the technical point of view, of all persons operating the apparatus.

5. (1) The maximum power which amateur stations and private experimental stations may use is fixed by the Administrations concerned, having regard to the technical qualifications of the operators and the conditions under which the stations are to work.

(2) All the general rules of the Convention and the present Regulations apply to amateur stations and private experimental stations. In particular, the frequency of the waves emitted must be as constant and as free from harmonics as the state of technical development permits.

(3) During the course of their emissions, such stations must transmit, at short intervals, their call sign, or, in the case of experimental stations not yet provided with a call sign, their name.

## ARTICLE 9

### Conditions to be Observed by Mobile Stations

#### A. General

1. (1) Mobile stations must be established in such a way as to conform, in regard to frequencies and types of waves, to the general provisions contained in Article 7.

(2) Further, no new transmitter of type B waves shall be installed in a mobile station except when such transmitter, working on full power, has an audio frequency input to the supply transformer of less than 300 watts.

(3) Finally, the use of type B waves of all frequencies shall be forbidden as from the 1st of January, 1940, except for transmitters fulfilling the conditions regarding power stated above.

2. The frequency of emission of mobile stations shall be verified as often as possible by the inspection service to which they are subject.

3. Receiving apparatus must be such that the current which it produces in the aerial is as small as possible and does not inconvenience neighbouring stations.

4. Changes of frequency in the sending and receiving apparatus of all mobile stations must be capable of being made as rapidly as possible. All installations must be such that, when communication is established, the time necessary to change from transmission to reception and vice versa shall be as short as possible.

## B. Ship Stations

5. (1) Sending apparatus used in ship stations working on waves of type A2 or B in the authorized bands between 365 and 515 kc/s (822 and 583 m) must be provided with devices readily permitting a material reduction of power.

(2) This provision does not apply to transmitters of which the power, measured on full load, does not exceed 300 watts at the anode of the transmitting valves (type A2 emission) or at the input to the supply transformers at audio-frequency (type B emission).

(3) All ship stations emitting on frequencies in the bands from 100 to 160 kc/s (3,000 to 1,875 m) and on frequencies above 4,000 kc/s (wavelengths below 75 m) must be provided with a wavemeter having an accuracy at least equal to 5/1000 or with an equivalent device.

6. Every station installed on board a ship, compulsorily equipped with radioelectric apparatus in accordance with an international agreement, must be able to send and receive on the wave of 500 kc/s (600 m), type A2 or B and, in addition, on at least one other wave, type A2 or B, in the authorized bands between 365 and 485 kc/s (822 and 619 m).

7. (1) In addition to the waves referred to above, ship stations equipped to emit waves of types A1, A2 or A3 may use the waves authorized in Article 7.

(2) The use of waves of type B is forbidden for all frequencies except the following:—

- 375 kc/s (800 m)
- 410 kc/s (730 m)
- 425 kc/s (705 m)
- 454 kc/s (660 m)
- 500 kc/s (600 m)
- 1364 kc/s (220 m) (\*).

\*See note (10) to the table of distribution of frequencies.

**8.** In ship stations, all apparatus installed for the transmission of waves of type A1 in the authorized bands between 100 and 160 kc/s (3,000 and 1,875 m) must allow of the use, in addition to the frequency of 143 kc/s (2,100 m), of at least two frequencies within these bands.

**9.** (1) All stations on board ships compulsorily equipped with radiotelegraph apparatus must be able to receive the wave of 500 kc/s (600 m) and, in addition, all the waves necessary to carry out the service which they perform.

(2) Such stations must be able to receive easily and efficiently on the same frequencies, waves of types A1 and A2.

### **C. Aircraft Stations**

**10.** (1) (a) Every station installed in an aircraft making a passage over the sea and compulsorily equipped with radioelectric apparatus as the result of an international agreement, must be able to send and receive on the wave of 500 kc/s (600 m) type A2 or B.

(b) As regards the restriction on the use of waves of type B, see under B, section 7, (2) above.

(2) (a) Every aircraft station must be able to send and receive on the wave of 333 kc/s (900 m), type A2 or A3.

(b) This rule does not apply to aircraft stations flying over regions where local agreements, which provide otherwise, are in force.

## **ARTICLE 10**

### **Operators' Certificates**

#### **A. General Provisions**

**1.** (1) The service of every mobile radiotelegraph or radiotelephone station must be carried out by a radiotelegraph operator holding a certificate issued by the Government to which the station is subject. Nevertheless, in mobile stations equipped with a low-power radioelectric installation [power of the carrier wave in the aerial not exceeding 100 watts, except in the case of the regional agreements provided for in section 7, (4)], when this installation is used solely for telephony, the service may be carried out by an operator holding a radiotelephony certificate.

(2) If the operator is totally incapacitated in the course of a sea-passage, a flight or a journey, the master or person responsible for the mobile station may authorize, solely as a temporary measure, an operator holding a certificate issued by another contracting Government to carry out the radioelectric service. When it becomes necessary



to have recourse, as temporary operator, to a person not holding an adequate certificate, his service must be limited to cases of urgency. In any case, the above-mentioned operator or person must be replaced as soon as possible by an operator holding the certificate prescribed in section 1, (1) above.

2. Each Administration takes the necessary measures for placing operators under the obligation to preserve the secrecy of correspondence and for preventing, to the utmost of its ability, the fraudulent use of certificates.

3. (1) There are two classes of certificates and a special certificate for radiotelegraph operators, and two certificates (general and restricted) for radiotelephone operators.

(2) The conditions to be imposed for obtaining these certificates are contained in the following paragraphs; these conditions are the minimum requirements.

(3) Each Government is free to fix the number of examinations necessary to obtain the certificates.

(4) The holder of a first class radiotelegraph operator's certificate, and the holder of a second class radiotelegraph operator's certificate who possesses a radiotelephone operator's certificate, may carry out the radiotelephone service in any mobile station. In the latter case, the second class radiotelegraph operator's certificate and the radiotelephone operator's certificate may be combined.

## **B. First Class Radiotelegraph Operator's Certificate**

4. The first class certificate is issued to operators who have given proof of the technical and professional knowledge and qualifications enumerated below:—

(a) Knowledge of the general principles of electricity, of the theory of radiotelegraphy and radiotelephony, and of the regulation and the practical working of the types of apparatus used in the mobile service.

(b) Theoretical and practical knowledge of the working of the accessory apparatus, such as motor-generators, accumulators, etc., used in the operation and adjustment of the apparatus specified in sub-paragraph (a).

(c) Practical knowledge necessary to effect, with the means available on board, the repair of damage which may occur to the apparatus during a voyage.

(d) Ability to send correctly and to receive correctly by ear code groups (mixed letters, figures and signs of punctuation), at a speed of 20 (twenty) groups a minute, and a plain language passage at a speed of 25 (twenty-five) words a minute. Each code group must comprise five characters, each figure or punctuation mark counting as two characters. The passage in plain language must average five characters to the word.



(e) Ability to send correctly and to receive correctly by telephone.

(f) Detailed knowledge of the Regulations applying to the exchange of radiocommunications, knowledge of the documents relative to the assessment of the charges for radiocommunications, knowledge of that part of the Convention for the Safety of Life at Sea which relates to radiotelegraphy, and, in the case of air navigation, knowledge of the special provisions governing the radioelectric service in air navigation. In the latter case, the certificate states that the holder has successfully passed the tests relating to these provisions.

(g) Knowledge of the general geography of the world, especially the principal navigation routes (maritime or air, according to the type of certificate) and the most important telecommunication routes.

### **C. Second Class Radiotelegraph Operator's Certificate**

5. The second class certificate is issued to operators who have given proof of the technical and professional knowledge and qualifications enumerated below:—

(a) Elementary theoretical and practical knowledge of electricity and radiotelegraphy, and knowledge of the adjustment and practical working of the types of apparatus used in the mobile radiotelegraph service.

(b) Elementary theoretical and practical knowledge of the working of the accessory apparatus, such as motor-generator sets, accumulators, etc., used in the operation and adjustment of the apparatus mentioned in sub-paragraph (a).

(c) Practical knowledge sufficient for effecting minor repairs in case of damage occurring to the apparatus.

(d) Ability to send correctly and to receive correctly by ear code groups (mixed letters, figures and signs of punctuation) at a speed of 16 (sixteen) groups a minute. Each code group must comprise five characters, each figure or punctuation mark counting as two characters.

(e) Knowledge of the Regulations applying to the exchange of radiocommunications, knowledge of the documents relative to the assessment of the charges for radiocommunications, knowledge of that part of the Convention for the Safety of Life at Sea which relates to radiotelegraphy and, in the case of air navigation, knowledge of the special provisions governing the radioelectric service in air navigation. In the latter case, the certificate states that the holder has successfully passed the tests relating to these provisions.

(f) Knowledge of the general geography of the world, especially the principal navigation routes (maritime or air, according to the type of certificate) and the most important telecommunication routes.

### **D. Radiotelegraph Operator's Special Certificate**

6. (1) (a) The radiotelegraph service of ships, aircraft and all other vehicles for which a radiotelegraph installation is not prescribed by international agreements, may be carried out by operators holding a radiotelegraph operator's special certificate. This certificate is issued to operators capable of carrying out radiocommunication at the speed of transmission and reception required for obtaining a second class radiotelegraph operator's certificate.

(b) It rests with each Government concerned to fix the other conditions for obtaining this certificate.

(2) As an exception, the Government of New Zealand is provisionally permitted to issue a special certificate for which it fixes the requirements for operators of small ships of its nationality which do not go far from the coast of that country and which participate only to a limited extent in the international service of public correspondence and in the general work of mobile stations.

### **E. Radiotelephone Operators' Certificates**

7. (1) The general radiotelephone operator's certificate is issued to operators who have given proof of the professional knowledge and qualifications enumerated below [see also section 3, (4)]:

(a) Practical knowledge of radiotelephony, especially as regards the avoidance of interference.

(b) Knowledge of the regulation and working of radiotelephone apparatus.

(c) Ability to send correctly and to receive correctly by telephone.

(d) Knowledge of the Regulations applying to the exchange of radiotelephone communications and of the part of the Radiocommunication Regulations relating to the safety of life.

(2) For radiotelephone stations of which the power of the carrier wave in the aerial does not exceed 50 watts, each Government concerned may itself fix the conditions for obtaining a radiotelephone operator's certificate (radiotelephone operator's restricted certificate).

(3) A radiotelephone operator's certificate must show whether it is a general certificate or a restricted certificate.

(4) In order to meet special needs, the conditions to be fulfilled for obtaining a radiotelephone operator's certificate, intended to be used in radiotelephone stations fulfilling certain technical conditions and certain working conditions, may be fixed by regional agreements. These conditions and agreements are mentioned in the documents issued to such operators. Such agreements are permitted subject to the proviso that there must not be interference with international services.

(5) Radiotelephone operators' certificates already issued to operators in conformity with the conditions fixed by the General Regulations of Washington (1927) remain in force and are regarded as radiotelephone operators' general certificates.

## **F. Service Qualifications**

**8.** (1) Before becoming chief operator of a ship station of the first category (Article 23, section 3), a first class operator must have had at least one year's experience as operator on board ship or in a coast station.

(2) To become chief operator of a ship station of the second category (Article 23, section 3), a first class operator must have had at least six months' experience as operator on board ship or in a coast station.

(3) (a) Operators holding a second class certificate are authorized to embark as chief operators in ships of the third category (Article 23, section 3).

(b) After proving six months' service on board ship, they may embark as chief operators in ships of the second category.

(4) The Government which issues a certificate may, before authorizing an operator to carry out the service on board an aircraft, require the operator to fulfil other conditions (for example: to complete a certain number of flying hours in the air mobile service, etc.).

## **ARTICLE 11**

### **Authority of the Master**

**1.** The radioelectric service of a mobile station is placed under the supreme authority of the master or of the person responsible for the ship, aircraft, or other vehicle carrying the mobile station.

**2.** The master or the person responsible, and all persons who are in a position to have knowledge of the text or merely of the existence of the radiotelegrams, or of any information whatever obtained by means of the radioelectric service, are placed under the obligation of observing and ensuring the secrecy of correspondence.

## **ARTICLE 12**

### **Inspection of Stations**

**1.** (1) The Governments or competent administrations of the countries where a mobile station calls may require the production of the licence. The operator of the mobile station, or the person responsible for the station, must facilitate this examination. The licence must be kept in such a way that it can be produced without delay.

The production of the licence, however, may be substituted by the permanent exhibition in the station of a copy of the licence, duly certified by the authority which has issued it.

(2) In default of such production, or when manifest irregularities are proved, the Governments or Administrations may proceed to inspect the radioelectric installations in order to satisfy themselves that these conform to the conditions imposed by the present Regulations.

(3) In addition, the inspectors have the right to require the production of the operators' certificates, but proof of professional knowledge may not be demanded.

**2.** (1) When a Government or an Administration has found it necessary to adopt the course indicated in section 1 above, or when the operators' certificates cannot be produced, it immediately informs the Government or Administration to which the mobile station in question is subject. In addition, the procedure specified in Article 13 is followed when necessary.

(2) The Government or Administration official who has inspected the station must, before leaving it, communicate the result of his inspection to the master or to the person responsible (Article 11) or to their substitute.

**3.** With regard to the technical and operating conditions to which mobile stations holding licences must conform for international radiocommunication service, the contracting Governments undertake not to impose upon foreign mobile stations which are temporarily within their territorial waters or make a temporary stay on their territories, conditions more severe than those contemplated in the present Regulations. These provisions do not affect in any way the provisions which, as they are within the province of international agreements relating to maritime or air navigation, are not covered by the present Regulations.

## ARTICLE 13

### Reports of Infringements

**1.** Infringements of the Convention or the Radiocommunication Regulations are reported to their Administration by the stations which detect them, by means of forms similar to the specimen given in Appendix 3.

**2.** In the case of important breaches by the same station, representations must be made to the Administration of the country to which the station is subject.

**3.** If an Administration has information of a breach of the Convention or Regulations, committed in a station which it has authorized, it ascertains the facts, fixes the responsibility, and takes the necessary steps.



## ARTICLE 14

## Call Signs

1. (1) All stations open to the service of international public correspondence, and also private experimental stations, amateur stations and private radiocommunication stations, must have call signs taken from the international series assigned to each country in the following table of distribution. In this table, the first letter or the first two letters provided for the call signs show the nationality of the stations.

(2) When a fixed station uses more than one frequency in the international service, each frequency is identified by a separate call sign, used solely for such frequency.

Table of Distribution to Call Signs

Country	Call signs	Country	Call signs
Chile.....	CAA-CEZ	Netherlands.....	PAA-PIZ
Canada.....	CFA-CKZ	Curaçao.....	PJA-PJZ
Cuba.....	CLA-CMZ	Dutch East Indies...	PKA-POZ
Morocco.....	CNA-CNZ	Brazil.....	PPA-PYZ
Cuba.....	COA-COZ	Surinam.....	PZA-PZZ
Bolivia.....	CPA-CPZ	(Abbreviations).....	Q
Portuguese Colonies...	CQA-CRZ	Union of Soviet So-	
Portugal.....	CSA-CUZ	cialist Republics...	R
Uruguay.....	CVA-CXZ	Sweden.....	SAA-SMZ
Canada.....	CYA-CZZ	Poland.....	SOA-SRZ
Germany.....	D	Egypt.....	STA-SUZ
Spain.....	EAA-EHZ	Greece.....	SVZ-SZZ
Irish Free State.....	EIA-EIZ	Turkey.....	TAA-TCZ
Republic of Liberia...	ELA-ELZ	Iceland.....	TFA-TFZ
Persia.....	EPA-EQZ	Guatemala.....	TGA-TGZ
Estonia.....	ESA-ESZ	Costa-Rica.....	TIA-TIZ
Ethiopia.....	ETA-ETZ	France and Colonies	
Territory of the Saar.	EZA-EZZ	and Protectorates..	TKA-TZZ
France and Colonies		Union of Soviet	
and Protectorates...	F	Socialist Republics	U
Great Britain.....	G	Canada.....	VAA-VGZ
Hungary.....	HAA-HAZ	Commonwealth of	
Swiss Confederation...	HBA-HBZ	Australia.....	VHA-VMZ
Ecuador.....	HCA-HCZ	Newfoundland.....	VOA-VOZ
Republic of Hayti...	HHA-HHZ	British Colonies and	
Dominican Republic...	HIA-HIZ	Protectorates.....	VPA-VSZ
Republic of Colombia	HJA-HKZ	British India.....	VTA-VWZ
Republic of Panama...	HPA-HPZ	Canada.....	VXA-VYZ
Republic of Honduras	HRA-HRZ	United States of	
		America.....	W
Siam.....	HSA-HSZ	Mexico.....	XAA-XFZ
Vatican City State...	HVA-HVZ	China.....	XGA-XUZ
Hedjaz.....	HZA-HZZ	British India.....	XYA-XZZ
Italy and Colonies...	I	Afghanistan.....	YAA-YAZ
Japan.....	J	Dutch East Indies...	YBA-YHZ
United States of		Iraq.....	YIA-YIZ
America.....	K		
Norway.....	LAA-LNZ	New Hebrides.....	YJA-YJZ
Argentine Republic...	LOA-LWZ	Latvia.....	YLA-YLZ
Luxemburg.....	LXA-LXZ	Free City of Danzig.	YMA-YMZ
Lithuania.....	LYA-LYZ	Nicaragua.....	YNA-YNZ
Bulgaria.....	LZA-LZZ	Roumania.....	YOA-YRZ
Great Britain.....	M	Republic of El Salva-	
United States of		dor.....	YSA-YSZ
America.....	N	Jugo-Slavia.....	YTA-YUZ
Peru.....	OAA-OCZ	Venezuela.....	YVA-YWZ
Austria.....	OEA-OEZ	Albania.....	ZAA-ZAZ
Finland.....	OFA-OHZ	British Colonies and	
Czechoslovakia.....	OKA-OKZ	Protectorates.....	ZBA-ZJZ
Belgium and Colonies.	ONA-OTZ	New Zealand.....	ZKA-ZMZ
Denmark.....	OUA-OZZ	Paraguay.....	ZPA-ZPZ
		Union of South Africa	ZSA-ZUZ



## 2. Call signs consist of:

- (a) three letters, in the case of land stations;
- (b) three letters, or three letters followed by a single figure (other than 0 or 1), in the case of fixed stations;
- (c) four letters, in the case of ship stations;
- (d) five letters, in the case of aircraft stations;
- (e) five letters, preceded and followed by the "underline" signal in the Morse Code (·- — — ·- —), in the case of stations on board aircraft performing a flight concerning the work of the League of Nations;
- (f) four letters, followed by a single figure (other than 0 or 1), in the case of other mobile stations;
- (g) one or two letters and a single figure (other than 0 or 1), followed by a group of not more than three letters, in the case of private experimental stations, amateur stations and private radiocommunication stations; the prohibition of the use of the figures 0 and 1, however, does not apply to amateur stations.

3. (1) In the aircraft radio service, after communication has been established by means of the complete call sign [see section 2, (d) and (e)], the aircraft station may use an abbreviated sign consisting:

- (a) in radiotelegraphy, of the first and last letters of the complete five-letter sign;
- (b) in radiotelephony, of all or part of the name of the owner of the aircraft (company or individual person), followed by the last two letters of the registration mark.

(2) For an aircraft performing a service concerning the work of the League of Nations, the words "League of Nations" take the place of the name of the owner of the aircraft.

4. (1) The twenty-six letters of the alphabet, and figures in the cases indicated in section 2, may be used to form call signs; accented letters are excluded.

(2) The following combinations of letters may not, however, be used as call signs:

- (a) combinations beginning with A or B, these two letters being reserved for the geographical part of the International Code of Signals;
- (b) combinations used in the International Code of Signals, part two;
- (c) combinations which might be confused with distress signals or with other signals of the same nature;
- (d) combinations reserved for the abbreviations to be used in the radiocommunication services.

5. (1) Each country selects the call signs of its stations from the international series assigned to it and notifies to the Bureau of the Union the call signs which it has allotted to its stations.

(2) The Bureau of the Union takes care that the same call sign is not allotted more than once and that call signs which might be mistaken for distress signals, or for other signals of the same nature, are not allotted.

## ARTICLE 15

### Service Documents

1. The Bureau of the Union prepares and issues the following service documents:

(a) lists of all land, mobile, and fixed stations having a call sign from the international series, whether or not open to public correspondence; lists of stations performing special services, broadcasting services and radiocommunication services between fixed points;

(b) the list of frequencies. This list shows all the frequencies allotted to stations intended to carry out a regular service which are capable of causing international interference;

(c) a list of telegraph offices and land stations open to international service;

(d) a map of coast stations open to public correspondence;

(e) a table and a map, as annexes to the list of coast stations and ship stations, indicating the zones and the hours of service on board ships of the second category (see Appendices 4 and 5);

(f) an alphabetical list of call signs of the stations mentioned under (a) to which a call sign from the international series has been allotted. This list is prepared without regard to nationality. It is preceded by the table of distribution of call signs given in Article 14;

(g) general radiocommunication statistics.

2. (1) The lists of stations [section 1, (a)] are published in separate parts as follows:

I. List of coast stations and ship stations.

II. List of aeronautical stations and aircraft stations.

III. List of stations performing special services.

IV. List of fixed stations (Index to the list of frequencies for fixed stations actually in service).

V. List of broadcasting stations.

(2) In the lists I, II, and III each class of station is placed in a separate section.

3. The form to be used for the various Lists of Stations and the List of Frequencies is shown in Appendix 6. Detailed information regarding the compilation of these documents is given in the prefaces, in the column headings and in the notes to the documents.

4. Administrations notify to the Bureau of the Union monthly, by means of schedules identical with those given in Appendix 6, the additions, modifications and deletions to be made in the documents mentioned above

5. (1) The List of Coast Stations and Ship Stations and the List of Aeronautical Stations and Aircraft Stations are published afresh every six months without supplements between two editions. As regards the List of Stations performing Special Services and the List of Broadcasting Stations, the Bureau of the Union decides at what intervals these lists shall be republished.

(2) A recapitulatory supplement is published every three months for the List of Stations performing Special Services and every six months for the List of Broadcasting Stations.

(3) The List of Frequencies and the List of Fixed Stations which forms an index to the List of Frequencies, as regards fixed stations actually in service, are republished separately each year. They are kept up to date by means of monthly supplements also published separately.

6. (1) The names of coast stations and aeronautical stations are followed by the words RADIO and AERADIO respectively.

(2) The names of direction-finding stations and radiobeacons are followed by the words GONIO and PHARE respectively.

7. Appendix 7 contains the symbols used in the documents to indicate the nature and the extent of the service of stations.

8. The service documents with which mobile stations must be provided are enumerated in Appendix 8.

## ARTICLE 16

### General Radiotelegraph Procedure in the Mobile Service <sup>(1)</sup> <sup>(2)</sup>

1. (1) In the mobile service, the procedure detailed below is obligatory, except in the case of distress calls or of distress traffic, to which the provisions of Article 22 are applicable.

(2) For the exchange of radiocommunications, stations of the mobile service use the abbreviations given in Appendix 9.

2. (1) Before sending, every station must make sure that it will not cause troublesome interference with transmissions in progress within its range; if such interference is likely, the station awaits the first break in the transmission with which it might interfere.

<sup>(1)</sup> This procedure is applicable to short waves so far as possible.

<sup>(2)</sup> The provisions of Sections 2 and 8 are applicable to radio-telephone transmissions in the mobile service.

(2) If, however, in spite of this precaution, the station's emissions happen to interfere with a radioelectric transmission already in progress, the following rules are applied:—

(a) Within the zone of communication of a land station open to the service of public correspondence or of any aeronautical station, the station whose emission causes the interference must cease sending at the first request of the said land station or aeronautical station.

(b) Where a radioelectric transmission already in progress between two ships happens to be interfered with by the emission of another ship, the latter must cease sending at the first request of either of the others.

(c) The station which requests this cessation must indicate the approximate duration of the wait imposed on the station whose emission it stops.

3. Radiotelegrams of all kinds transmitted by ship stations are numbered in series daily, the number 1 being given to the first telegram sent each day to each separate land station.

#### **4. Calling a Station and Signals Preparatory to Traffic**

##### *(1) Form of call*

The call is made as follows:

Call sign of the station called, not more than three times;  
the word DE;  
call sign of the station calling, not more than three times.

##### *(2) Wave to be used for calling and for preparatory signals*

For making the call and for transmitting preparatory signals, the station calling uses the wave on which the station called keeps watch.

##### *(3) Indication of the wave to be used for traffic*

The call, as described in sub-paragraph (1) above, must be followed by the service abbreviation indicating the frequency and/or the type of wave which the station calling proposes to use for the transmission of its traffic.

When, as an exception to this rule, the call is not followed by an indication of the wave to be used for the traffic:

*(a) if the station calling is a land station:*

it means that this station proposes to use for traffic, its normal working wave indicated in the List of Stations;



(b) *if the station calling is a mobile station:*

it means that the wave to be used for traffic is to be chosen by the station called.

(4) *Indication of the number of telegrams  
or of transmission in series, if necessary*

When the station calling has more than one telegram to transmit to the station called, the above mentioned preparatory signals are followed by the service abbreviation and figure giving the number of telegrams.

In addition, when the station calling wishes to send its telegrams in series, it indicates this by adding the service abbreviation for requesting the consent of the station called.

## 5. Reply to Calls and Signals Preparatory to Traffic

(1) *Form of reply to calls*

The reply to calls is made as follows:—

Call sign of the station calling, not more than three times;

the word DE;

call sign of the station called.

(2) *Wave for reply*

For transmitting the reply to calls and to preparatory signals, the station called uses the wave on which the station calling must keep watch.

As an exception to this rule, when a mobile station calls a coast station on the wave of 143 kc/s (2,100 m), the coast station transmits its reply to the call on its normal working wave in the bands 100 to 160 kc/s (3,000 to 1,875 m), as indicated in the List of Stations.

(3) *Agreement on the wave to be used for traffic*

A. If the station called is in agreement with the station calling, it transmits:—

(a) the reply to the call;

(b) the service abbreviation indicating that from that moment onwards it will listen on the frequency and/or the type of wave announced by the station calling;

(c) if necessary, the indications referred to in subparagraph (4);

(d) the letter K if the station called is ready to receive the traffic of the station calling;

(e) if useful, the service abbreviation and figure indicating the strength of the signals received (see Appendix 10).



*B.* If the station is not in agreement, or if it has to choose the wave to be used for traffic, it transmits:—

- (a) the reply to the call;
- (b) the service abbreviation indicating the frequency and/or the type of wave proposed(\*);
- (c) if necessary, the indications referred to in sub-paragraph (4).

When agreement is reached regarding the wave which the station calling shall use for its traffic, the station called transmits the letter K after the indications contained in its reply.

*(4) Reply to the request for transmission in series*

The station called, in replying to a station calling which has proposed to transmit its radiotelegrams in series [section 4, (4)], indicates, by means of the service abbreviation, its refusal or acceptance and, in the latter case it specifies, if necessary, the number of radiotelegrams which it is ready to receive in a series.

*(5) Difficulties in reception*

(a) If the station called is not ready to receive, it replies to the call as indicated in sub-paragraph (3) above, but it replaces the letter K by the signal — — — (wait), followed by a number indicating in minutes the probable duration of the wait. If the probable duration exceeds 10 minutes (5 minutes in the aeronautical mobile service), the reason for the wait must be given.

(b) When a station receives a call without being certain that such call is intended for it, it must not reply until the call has been repeated and is understood. When, on the other hand, a station receives a call which is addressed to it, but is uncertain of the call sign of the station calling, it must reply immediately, using the service abbreviation in place of the call sign of this latter station.

## **6. Transmission of Traffic**

*(1) Traffic wave*

(a) Every station of the mobile service uses, in principle, for the transmission of its traffic, one of its working waves, indicated in the List of Stations, for the band in which the call has been made.

(b) In addition to its normal working wave, printed in heavy type in the List of Stations, every station may use supplementary waves in the same band, in conformity with the provisions of Article 19, section 1, (10).

(c) The use of calling waves for traffic is governed by Article 19.

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(\*) Where the choice of the wave to be used for traffic rests with the station called, and if, exceptionally, the latter station does not give the relative indication, the traffic is sent on the wave used for the call.

(2) *Long radiotelegrams*

(a) In principle, any radiotelegram containing more than 100 words is regarded as forming a series, or terminates a series in progress.

(b) As a general rule, long radiotelegrams, whether in plain language or in code or cypher, are transmitted in sections, each section containing 50 words in the case of plain language and 20 words or groups where code or cypher is used.

(c) At the end of each section the signal *-- — — —* (?) meaning "Have you received the radiotelegram correctly up to this point?" is transmitted. If the section has been correctly received, the receiving station replies by sending the letter K and the transmission of the radiotelegram is continued.

(3) *Suspension of traffic*

When a station of the mobile service transmits on a working wave of a land station and so causes interference with the land station, it must suspend working at the request of the latter.

**7. End of Traffic and Work**(1) *Signal for the end of transmission*

(a) The transmission of a radiotelegram is terminated by the signal *— — — —* (end of transmission), followed by the call sign of the sending station and the letter K.

(b) In the case of transmission by series, the end of each radiotelegram is indicated by the signal *— — — —* and the end of the series by the call sign of the sending station and the letter K.

(2) *Acknowledgment of receipt*

(a) The acknowledgment of receipt of a radiotelegram is given by transmitting the letter R, followed by the number of the radiotelegram; the acknowledgment of receipt is preceded by this formula: call sign of the station which has been sending, word DE, call sign of the station which has been receiving.

(b) The acknowledgment of receipt of a series of radiotelegrams is given by transmitting the letter R followed by the number of the last radiotelegram received. This acknowledgment of receipt is preceded by the above formula.

(c) The acknowledgment of receipt is given by the receiving station on the same wave as the reply to the call [see section 5, (2) above].

(3) *End of work*

(a) The end of work between two stations is indicated by each of them by means of the signal ----- (end of work), followed by its own call sign.

(b) For these signals the sending station continues to use the traffic wave and the receiving station the wave used for the reply to the call.

(c) The signal ----- (end of work) is also used when the transmission of radiotelegrams of general information, meteorological information and general safety notices is finished and when transmission is ended in the long distance radiocommunication service with deferred acknowledgment of receipt or without acknowledgment of receipt.

**8. Duration of Work**

(1) (a) In no case, in the maritime mobile service, must working on 500 kc/s (600 m) exceed ten minutes.

(b) In no case, in the aircraft mobile service, must working on 333 kc/s (900 m) exceed five minutes.

(2) On frequencies other than 500 kc/s (600 m) and 333 kc/s (900 m), the duration of periods of working is fixed:

(a) between a land station and a mobile station, by the land station,

(b) between mobile stations, by the receiving station.

**9. Tests**

When it is necessary to make test signals, either for the adjustment of a transmitter before making a call, or for the adjustment of a receiver, these signals must not continue for more than 10 seconds and must be composed of a series of VVV followed by the call sign of the station emitting the test signals.

**ARTICLE 17****General Call "To All Stations"**

1. Two types of call signal "To all stations" are recognized: 1st call CQ followed by the letter K (see sections 2 and 3);

2nd call CQ not followed by the letter K (see section 4).

2. Stations desiring to enter into communication with stations of the mobile service, without, however, knowing the names of any such stations within their range of action, may use the enquiry signal CQ, in place of the call sign of the station called in the calling formula, the call being followed by the letter K (general call to all stations in the mobile service with request for reply).

**3.** In regions where traffic is congested, the use of the call CQ followed by the letter K is forbidden except in combination with signals denoting urgency.

**4.** The call CQ not followed by the letter K (general call to all stations without request for reply) is used before the transmission of information of all kinds intended to be read or used by anyone who can intercept them.

## ARTICLE 18

### Calling

**1.** (1) As a general rule, it rests with the mobile station to establish communication with the land station. The mobile station may call the land station, for this purpose, only after coming within the radius of action of the land station.

(2) Nevertheless, a land station having traffic for a mobile station which has not made its presence known, may call this station if it has reason to believe that the mobile station is within range and is keeping watch.

**2.** (1) In addition, land stations may transmit their calls in the form of "traffic lists" consisting of the call signs of all mobile stations for which they have traffic on hand, at prearranged times, separated by intervals of at least two hours, as fixed by agreement between the Governments concerned. Land stations which transmit their calls on the wave of 500 kc/s (600 m) transmit them in the form of "traffic lists" in alphabetical order and include only the call signs of those mobile stations for which they have traffic on hand and which are within their range of action. They send, after their own call sign, service abbreviations indicating the working wave which they wish to use for transmission. Land stations which use continuous waves outside the band 365 to 515 kc/s (822 to 583 m) transmit such call signs in the order most convenient to them.

(2) The times at which land stations transmit their traffic lists and the frequencies and types of waves which they use for this purpose must be stated in the List of Stations.

(3) Mobile stations which hear their call sign during this transmission, must reply as soon as they can do so, following so far as possible the order in which they were called.

(4) When the traffic cannot be sent immediately, the land station informs each mobile station concerned of the approximate time at which working may begin, and, if necessary, the frequency and type of wave which will be used for working with it.

**3.** When a land station receives calls from several mobile stations at practically the same time, it decides the



order in which these stations may transmit their traffic to it, being guided in this decision solely by the necessity for allowing each of the stations calling to exchange with it the greatest possible number of radiotelegrams.

4. (1) On first establishing communication with a land station, any mobile station may, if it thinks this desirable because confusion is feared, send its name in full as it appears in the List of Stations.

(2) The land station may, by means of the abbreviation PTR, ask the mobile station to furnish it with the following particulars:

(a) approximate distance in nautical miles and bearing in relation to the land station or its position given in latitude and longitude;

(b) next port of call.

(3) The particulars referred to in sub-paragraph (2) are furnished on the authority of the master or the person responsible for the vehicle carrying the mobile station and only in cases where they are asked for by the land station.

5. In communications between land stations and mobile stations, the mobile station complies with the instructions given by the land station, in all questions relating to the order and time of transmission, to the choice of frequency (wave-length) and/or the type of wave, and to the suspension of work. This provision does not apply to cases of distress.

6. In communications between mobile stations, except in cases of distress, the station called controls the working as indicated in section 5 above.

7. (1) When a station called does not reply to a call sent three times at intervals of two minutes, the calling must cease and must not be resumed until after an interval of fifteen minutes (five minutes for the aeronautical mobile service). The station calling, before resuming the call, must make certain that the station called is not at that moment in communication with another station.

(2) The call may be repeated at shorter intervals if there is no reason to think that it will interfere with communications in progress.

8. When the name and address of the organization controlling a mobile station are not given in the List of Stations or are no longer in accordance with the particulars given therein, it is the duty of the mobile station to furnish, of its own accord, to the land station to which it transmits traffic, all the necessary information in this respect, using for this purpose the appropriate abbreviations.



## ARTICLE 19

**Use of Waves in the Mobile Service**

1. (1) In the bands between 365 and 515 kc/s (822 and 583 m), type B waves are permitted only on the following frequencies:

375, 410, 425, 454 and 500 kc/s (800, 730, 705, 660 and 600 m).

(2) The general calling wave, which must be used by all ship stations and all coast stations engaged in radiotelegraphy on the authorized bands between 365 and 515 kc/s (822 and 583 m), and by aircraft desiring to enter into communication with coast stations or ship stations, is the wave of 500 kc/s (600 m) (A1, A2 or B).

(3) The wave of 333 kc/s (900 m) is the international calling wave for aircraft services, except as indicated in Article 9, section 10, (2).

(4) The wave of 143 kc/s (2,100 m) (type A1 only), is the international calling wave used in long distance communications in the mobile service on the bands 100 to 160 kc/s (3,000 to 1,875 m).

(5) The waves of 500 kc/s (600 m) is the international distress wave; it is used for this purpose by ship stations and aircraft stations which require the assistance of maritime services. It may be used in a general way only for calls and answers, for distress traffic and for urgency and safety signals and messages.

(6) Nevertheless, on condition that signals of distress, urgency and safety, and calls and answers are not interfered with, the wave of 500 kc/s (600 m) may be used:

(a) in regions where traffic is congested for the transmission of a single short radiotelegram; <sup>(1)</sup>

(b) in other regions for other purposes, but with discretion.

(7) Except for the wave 500 kc/s (600 m), the use of waves of all types between 485 and 515 kc/s (620 and 583 m) is forbidden.

(8) Except for the wave of 143 kc/s (2,100 m), the use of all waves between 140 and 146 kc/s (2,143 and 2,055 m) is forbidden.

(9) Coast stations and ship stations working in the authorized bands between 365 and 515 kc/s (822 and 583 m) must be able to use at least one wave besides that of 500 kc/s (600 m); when an additional wave is printed in heavy type in the List of Stations, it is the normal working wave of the station. The additional waves thus chosen for coast stations may be the same as those of ship stations or they may be different. In any case, the working waves of coast stations must be chosen so as to avoid interference with neighbouring stations.

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<sup>(1)</sup> The regions where traffic is congested are indicated in the List of Coast Stations; these regions comprise the working areas of coast stations indicated as not accepting traffic on 500 kc/s (600 m) (see Appendix 7).

(10) Besides their normal working wave printed in heavy type in the List, land stations and ship stations may use, in the authorized bands, additional waves which are shown in ordinary type in the List. The band of frequencies 365 to 385 kc/s (822 to 779 m), however, is reserved for the direction-finding service; it may not be used by the mobile service for radiotelegraph correspondence except on the conditions indicated in Article 7.

(11) (a) The wave for replying to a call made on the general calling wave [see section 1, (2)] is the wave of 500 kc/s (600 m), the same as that of the call.

(b) The wave for replying to a call for aircraft stations and aeronautical stations working in the band 315 to 365 kc/s (952 to 822 m), is the wave of 333 kc/s (900 m), the same as that of the call.

(c) The wave for replying to a call sent on the international calling wave of 143 kc/s (2,100 m) [see section 1, (4)] is:

for a mobile station, the wave of 143 kc/s (2,100 m);

for a coast station, its normal working wave.

**2.** (1) In order to increase the safety of life at sea (ships) and over the sea (aircraft), all stations in the mobile maritime service normally keeping watch on waves in the authorized bands between 365 and 515 kc/s (822 and 583 m) must, during their hours of service, take the necessary measures to ensure watch on the distress wave [500 kc/s (600 m)] for three minutes twice an hour beginning at x h 15 and x h 45, Greenwich mean time.

(2) During the periods mentioned above, except for the emissions provided for in Article 22 (sections 22 to 28):

A. Transmission must cease within the bands 460 to 550 kc/s (652 to 545 m);

B. Outside these bands:

(a) the emission of waves of type B is prohibited;

(b) other emissions of stations of the mobile service may continue; stations of the maritime mobile service may listen to these emissions subject to the express proviso that they first ensure watch on the distress wave as provided by sub-paragraph (1) of this paragraph.

**3.** As calls within the authorized bands between 365 and 515 kc/s (822 and 583 m) and 315 to 365 kc/s (952 to 822 m) are made normally on the international calling waves [section 1, (2) and (3) above] mobile service stations open to public correspondence and using for their work waves in these bands, must, during their hours of service, remain on watch on the calling wave of their service. These stations, while observing the provisions of Article 19, section 2 (1) and (2), and section 4, D, are authorized to relinquish this watch only when they are engaged in communication on other waves.

4. The following rules must be observed in the working of stations of the mobile service using waves of type A1 in the bands 100 to 160 kc/s (3,000 to 1,875 m):

A. (a) Every coast station conducting communications on one of these waves must keep watch on the wave of 143 kc/s (2,100 m), unless the List of Stations indicates otherwise.

(b) The coast station transmits all its traffic on the wave or waves specially assigned to it.

(c) A coast station to which one or more waves within the band 125 to 150 kc/s (2,400 to 2,000 m) are assigned, possesses a right of preference over this wave or these waves.

(d) Any other station of the mobile service transmitting public traffic on this wave or these waves, and thus causing interference with such coast station, must suspend its work at the request of the latter.

B. (a) When a mobile station desires to establish communication on one of these waves with another station of the mobile service, it must use the wave of 143 kc/s (2,100 m), unless the List of Stations indicates otherwise.

(b) This wave, designated as the general calling wave, must be used exclusively in the North Atlantic:

1st for making individual calls and for replying to such calls;

2nd for the transmission of signals preparatory to the transmission of traffic.

C. A station of the mobile service after establishing communication with another station of the mobile service on the general calling wave of 143 kc/s (2,100 m) must, so far as possible, transmit its traffic on some other wave in the authorized bands provided that it does not disturb the working in progress of another station.

D. As a general rule, all mobile stations equipped for service on waves of type A1 in the bands from 100 to 160 kc/s (3,000 to 1,875 m) and not engaged in communication on another wave must, in order to permit of exchange of traffic with other stations of the mobile service, revert every hour to the wave of 143 kc/s (2,100 m) for 5 minutes beginning at x h 35, Greenwich mean time, during their specified hours of watch, according to the category to which the station in question belongs.

E. (a) Land stations must, so far as possible, transmit their calls in the form of traffic lists; in that case the stations transmit their traffic lists at specified times, published in the List of Stations, on the wave or waves assigned to them in the bands from 100 to 160 kc/s (3,000 to 1,875 m), but not on the wave of 143 kc/s (2,100 m).

(b) Land stations may, however, call mobile stations individually at any time, outside the times fixed for the transmission of their traffic lists, according to circumstances or to the work which they have to perform.

(c) The wave of 143 kc/s (2,100 m) may be used for individual calls and shall be preferred for this purpose during the period indicated in section 4, D.

**5.** Radiocommunications of aeronautical stations and aircraft stations are, in principle, exchanged as follows:

(1) For aircraft stations:

(a) By radiotelephony (calling and working) for aircraft of which the crew does not include a radiotelegraph operator.

(b) By radiotelegraphy on continuous waves for aircraft of which the crew includes a radiotelegraph operator.

Calling: waves of type A2.

Working: waves of type A1 (type A2 is permitted in the case of short wave working).

(2) For aeronautical stations:

(a) By radiotelephony (calling and working) when the station has to communicate with an aircraft of which the crew does not include a radiotelegraph operator.

(b) By radiotelegraphy, when the station has to communicate with an aircraft of which the crew includes a radiotelegraph operator.

Waves of type A1 (calling and working).

Waves of type A2 are permitted (calling and working) in the case of short waves.

## ARTICLE 20

### Interference

**1.** (1) The exchange of unnecessary signals or correspondence is forbidden in all stations.

(2) Tests and experiments are allowed in mobile stations only in so far as they do not disturb the service of other stations. As regards stations other than mobile stations, each Administration considers, before authorizing them, whether the proposed tests or experiments are liable, or not, to interfere with the service of other stations.

**2.** It is recommended that public correspondence traffic should be transmitted on waves of type A1 rather than on waves of type A2, and on waves of type A2 rather than on waves of type B.

**3.** All stations in the mobile service are bound to exchange traffic with the minimum of radiated energy necessary to ensure good communication.

**4.** Except in the case of distress, communications between ship stations must not interfere with the working



of land stations. When such interference does occur, the ship stations which are the cause of the interference must stop transmitting or must change their wave at the first request of the land station concerned.

5. Signals for testing and regulation must be chosen in such a manner that no confusion will arise with a signal, abbreviation, etc., having a special meaning defined by the present Regulations or by the International Code of Signals.

6. (1) When it is necessary to send signals for testing or regulating apparatus, and there is risk of interference with the working of a neighbouring land station, the consent of that land station must be obtained before such signals are sent.

(2) Every station carrying out emissions for tests, adjustments or experiments, must transmit its call sign or, if necessary, its name, at frequent intervals during the course of these emissions.

7. The Administration or enterprise making a complaint regarding interference must, in order to support and justify the complaint:

(a) give details of the kind of interference observed (frequency, variations in adjustment, call of interfering station, etc.);

(b) declare that the station interfered with is actually using the frequency assigned to it;

(c) state that it habitually uses receiving apparatus of a type equivalent to the best employed in the current practice of the service concerned.

8. The administrations take such measures as they think necessary and as are in conformity with their national laws, to require that electrical apparatus capable of causing serious interference with an authorized radio-communication service, shall be used in such a way as to avoid such interference.

## ARTICLE 21

### **Emergency Installation**

1. The Convention for the Safety of Life at Sea determines which ships must be provided with emergency installations, and defines the conditions to be fulfilled by installations of this class.

2. In the use of emergency installations, all the provisions of the present Regulations must be observed.

## ARTICLE 22

### **Distress Signal and Traffic. Alarm, Urgency and Safety Signals**

#### **A. General**

1. No provision of the present Regulations shall hinder the use by a mobile station in distress, of any



means at its disposal to attract attention, make known its situation, and obtain assistance.

2. (1) The speed of telegraph transmission in cases of distress, urgency or safety, must not normally exceed 16 words a minute.

(2) The speed of transmission for the alarm signal is indicated in section 21, (1).

### **B. Waves to be Used in Case of Distress**

3. (1) *Ships*.—In case of distress, the wave to be used is the international distress wave, that is to say, 500 kc/s (600 m) (see Article 19); it must be used preferably in type A2 or B. Ships which cannot transmit on the international distress wave use their normal calling wave.

(2) *Aircraft*.—Every aircraft in distress must transmit the distress call on the wave on which the fixed or mobile stations capable of rendering it assistance keep watch: 500 kc/s (600 m) for stations of the maritime service, 333 kc/s (900 m) for stations of the aeronautical service [except as indicated in Article 9, section 10, (2)]. The waves to be used are types A2 or A3.

### **C. Distress Signal**

4. (1) In radiotelegraphy, the distress signal consists of the group --- — — — —; in radiotelephony, the distress signal consists of the spoken expression MAYDAY (corresponding to the French pronunciation of the expression "m'aider").

(2) The signal of distress means that the ship, aircraft or other vehicle sending, is threatened by grave and imminent danger and requests immediate assistance.

### **D. Distress Call**

5. (1) The distress call, when it is sent by radiotelegraphy on 500 kc/s (600 m), is, as a general rule, immediately preceded by the alarm signal as defined in section 21, (1).

(2) When circumstances permit, the transmission of the call is separated from the end of the alarm signal by an interval of two minutes' silence.

(3) The distress call comprises:—

the distress signal sent three times,

the word DE, and

the call sign of the mobile station in distress, sent three times.

(4) This call has absolute priority over other transmissions. All stations which hear it must immediately cease all transmissions capable of interfering with the distress traffic and must listen on the wave used for the emission of the distress call. This call must not be addressed to a particular station and requires no acknowledgment of receipt.

## E. Distress Message

**6.** (1) The distress call must be followed as soon as possible by the distress message. This message comprises the distress call followed by the name of the ship, aircraft, or vehicle in distress, particulars of its position, the nature of the distress and the kind of assistance desired, and, by any other information which might facilitate the rescue.

(2) If, after transmitting its distress message, an aircraft is unable to give its position, it endeavours to send its call sign for a period long enough to permit direction-finding stations to determine its position.

**7.** (1) As a general rule, a ship or an aircraft at sea signals its position in latitude and longitude (Greenwich), using figures for the degrees and minutes, together with one of the words NORTH or SOUTH, and one of the words EAST or WEST; the degrees are separated from the minutes by a full stop. When practicable, the true bearing and the distance in nautical miles from a known geographical point may be given.

(2) As a general rule, an aircraft in flight over the land signals its position by the name of the nearest place, and its approximate distance in relation thereto, accompanied as necessary by one of the words NORTH, SOUTH, EAST or WEST or, when practicable, by words indicating intermediate directions.

**8.** The distress call and message are sent only on the authority of the master or person responsible for the ship, aircraft or other vehicle carrying the mobile station.

**9.** (1) The distress message must be repeated at intervals, until an answer is received, and especially during the periods of silence prescribed in Article 19, section 2.

(2) The alarm signal may also be repeated, if necessary.

(3) The intervals must, however, be long enough to allow stations preparing to reply time to start their sending apparatus.

(4) When the ship in distress receives no answer to a distress message sent on the wave of 500 kc/s (600 m), the message may be repeated on any other available wave on which attention might be gained.

**10.** A mobile station which learns that another mobile station is in distress may transmit the distress message in either of the following cases:

(a) the station in distress is not itself in a position to transmit it;

(b) the master (or his substitute) of the ship, aircraft, or other vehicle carrying the mobile station which intervenes believes that further help is necessary.

**11.** (1) Stations which receive a distress message from a mobile station which is, beyond possible doubt, in their vicinity, must at once acknowledge receipt of the message (see sections 18 and 19 below), taking care not to interfere with the transmission of similar acknowledgments of receipt sent by other stations.

(2) Stations which receive a distress message from a mobile station which is, beyond possible doubt, not in their vicinity, must let a short time pass before acknowledging receipt of the message, in order to permit stations nearer to the mobile station in distress to answer and acknowledge receipt without interference.

## **F. Distress Traffic**

**12.** Distress traffic comprises all messages relative to the immediate assistance required by the mobile station in distress.

**13.** In distress traffic, every radiotelegram must include the distress signal sent at the beginning of the preamble.

**14.** The control of the distress traffic rests with the mobile station in distress or with the mobile station which, by application of the provisions of section 10, sub-paragraph (a), has issued the distress call. These stations may delegate the control of the distress traffic to another station.

**15.** (1) If it believes it to be essential, any station of the mobile service near the ship, aircraft, or vehicle in distress, may impose silence either on all stations of the mobile service in the vicinity or on any station which impedes the distress traffic. In either case, use is made of the service abbreviation (QRT) followed by the word DISTRESS; the instruction being addressed "to all stations" or to one station only, according to circumstances.

(2) When the station in distress wishes to impose silence, it uses the procedure just described, substituting the distress signal --- — — — — for the word DISTRESS.

**16.** (1) Every station which hears a distress call must comply with the provisions of section 5, (4).

(2) Every station of the mobile service which has knowledge of distress traffic, must follow such traffic, even if it does not take part in it.

(3) Throughout the duration of distress traffic, all stations which have knowledge of this traffic but do not take part in it, are forbidden:

(a) to use the distress wave [500 kc/s (600 m)]  
or the wave on which the distress traffic is taking place;

(b) to use waves of type B.

(4) A station of the mobile service which, while following distress traffic of which it has knowledge, is able also to continue its normal service, may do so, when the

distress traffic is well established, on the following conditions:—

(a) the use of the waves indicated in (3) is forbidden;

(b) the use of waves of type A1, with the exception of those which might disturb the distress traffic, is permitted;

(c) the use of waves of type A2 or A3 is permitted only in the band or bands assigned to the mobile service which do not include a frequency used for distress traffic [the band around 500 kc/s (600 m) extends from 385 to 550 kc/s (779 to 545 m)].

**17.** When silence is no longer necessary, or the distress traffic has ceased, the station which has controlled such traffic sends on the distress wave and, if necessary, on the wave used for the distress traffic, a message addressed "to all stations" indicating that the distress traffic has ceased. This message takes the following form:—

call to all stations CQ (three times),  
word DE,  
call sign of the station sending the message,  
distress signal,  
time of handing-in of the message,  
name and call sign of the station which was in distress,  
the words "distress traffic ended".

## **G. Acknowledgment of Receipt of a Distress Message**

**18.** The acknowledgment of receipt of a distress message is given in the following form:—

call sign of the mobile station in distress (three times),  
word DE,  
call sign of the station acknowledging receipt (three times),  
group RRR,  
distress signal.

**19. (1)** Every mobile station which acknowledges receipt of a distress message must, on the order of the master or his substitute, make known as soon as possible the following details in the order shown:

its name,  
its position in the form described in section 7,  
the maximum speed at which it is proceeding towards the ship (aircraft or other vehicle) in distress.

**(2)** Before sending this message, the station must make certain that it will not interfere with the emissions



of other stations better situated to render immediate assistance to the station in distress.

## **H. Repetition of a Distress Call or a Distress Message**

20. (1) Every station of the mobile service which is not in a position to render assistance and which has heard a distress message which has not been immediately acknowledged, must take all possible steps to attract the attention of stations of the mobile service which are in a position to render assistance.

(2) For this purpose, with the approval of the authority responsible for the station, the distress call or the distress message may be repeated; this repetition is made on full power either on the distress wave or on one of the waves which may be used in case of distress (section 3 of the present Article); at the same time all necessary steps will be taken to notify the authorities who may be able to intervene usefully.

(3) A station which repeats a distress call or a distress message, adds to it the word DE and its own call sign transmitted three times.

## **I. Automatic-Alarm Signal**

21. (1) The alarm signal is composed of a series of twelve dashes transmitted in one minute, the duration of each dash being four seconds and the duration of the interval between two dashes, one second. It may be sent by hand or by an automatic apparatus.

(2) This special signal has for its sole purpose the actuation of the automatic devices giving the alarm. It must be used solely either to announce that a distress call or message is about to follow or to announce the emission of an urgent cyclone warning; in the latter case it may be used only by coast stations duly authorized by their Government.

(3) In cases of distress, the use of the alarm signal is governed by section 5, (1); in the case of urgent cyclone warnings, the emission of the warning must not begin until two minutes after the termination of the alarm signal.

(4) Automatic devices intended for the reception of the alarm signal must fulfil the following conditions:—

1st respond to the alarm signal even when many stations are working and when there is atmospheric interference;

2nd not be actuated by “atmospherics” or by strong signals other than the alarm signal;

3rd possess a sensitiveness equal to that of a receiver with crystal detector connected with the same aerial;

4th give warning when their operation ceases to be normal.



(5) Before an automatic alarm receiver is approved for use in ships, the Administration to which the ships are subject must satisfy itself by practical tests made under suitable conditions of interference, that the apparatus fulfils the provisions of the present Regulations.

(6) The adoption of the type of alarm signal mentioned in (1) does not prevent an Administration from authorizing the use of an automatic apparatus which would comply with the conditions fixed above and would be operated by the regulation distress signal -----

## J. Urgency Signal

**22.** (1) In radiotelegraphy, the urgency signal consists of three repetitions of the group XXX, sent with the letters of each group and the successive groups clearly separated from each other; it is sent before the call.

(2) In radiotelephony, the urgency signal consists of three repetitions of the expression PAN (corresponding to the French pronunciation of the word "panne"); it is sent before the call<sup>(1)</sup>.

(3) The urgency signal indicates that the station calling has a very urgent message to transmit concerning the safety of a ship, aircraft, or other vehicle or of some person on board or within sight.

(4) In particular, an aircraft sending a message to indicate that it is in difficulty and on the point of landing (or alighting in the sea) compulsorily, but that it has no need of immediate assistance, sends the urgency signal before its message.

(5) The urgency signal sent by an aircraft and not followed by a message means that the aircraft is obliged to land (or alight in the sea), is unable to send a message, but has no need of immediate assistance.

(6) The urgency signal has priority over all other communications, except distress, and all mobile or land stations which hear it must take care not to interfere with the transmission of the message which follows the urgency signal.

(7) Where the urgency signal is used by a mobile station, it must, as a general rule, be addressed to a specific station.

**23.** When the urgency signal is used, the messages preceded by this signal must, as a general rule, be drawn up in plain language, except in the case of medical messages exchanged between ships or between a ship and a coast station.

**24.** (1) Mobile stations which hear the urgency signal must continue to listen for at least three minutes.

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<sup>(1)</sup> In the aeronautical service the signal PAN is at present also used as the radiotelegraph urgency signal; in this case, the 3 letters must be well separated so that the letters AN may not be changed into the letter P.

At the end of this period, if no urgency message has been heard, they may resume their normal service.

(2) Nevertheless, land, ship and aircraft stations which are in communication on waves other than that used for the transmission of the urgency signal and of the call which follows it, may continue their normal work without interruption.

**25.** (1) The urgency signal may be transmitted only on the authority of the master or the person responsible for the ship, aircraft, or other vehicle bearing the mobile station.

(2) In the case of a land station, the urgency signal shall be transmitted only with the approval of the responsible authority.

### **K. Safety Signal**

**26.** (1) In radiotelegraphy, the safety signal consists of three repetitions of the group TTT, sent with the letters of each group and the successive groups clearly separated from each other. This signal is followed by the word DE and by the call sign of the station which emits it, sent three times. It indicates that the station is about to transmit a message concerning the safety of navigation or giving important meteorological warnings.

(2) In radiotelephony, the word SECURITE (corresponding to the French pronunciation of the word "sécurité") repeated three times is used as the safety signal.

**27.** The safety signal and the message which follows it are sent on the distress wave or on one of the waves which may, if necessary, be used in case of distress (see section 3 of the present Article).

**28.** (1) In the maritime mobile service, in addition to the messages of which the transmission is made at fixed times, the safety signal must be transmitted towards the end of the first silence period which occurs (Article 19, section 2) and the message is transmitted immediately after the silence period; in the case prescribed in Article 30, A, section 4, (3) section 5, (1) B, section 7, the safety signal and the message which follows it must be transmitted with the least delay possible, but must be repeated, as just indicated, at the first silence period following.

(2) All stations hearing the safety signal must continue to listen on the wave on which the safety signal has been emitted until the message announced by it is ended; they must also remain silent on all waves capable of interfering with the message.

(3) The preceding rules are applicable to the aircraft service, in so far as they are not contrary to regional arrangements ensuring for air navigation at least an equal measure of protection.

## ARTICLE 23

**Working Hours of Stations in the Mobile Service**

1. In order to permit the application of the following rules on the subject of hours of watch, every station of the mobile service must have an accurate clock and the necessary steps must be taken to keep it correctly regulated to Greenwich mean time.

**A. Land Stations**

2. (1) The service of land stations is, so far as possible, continuous (day and night). Certain land stations, however, may have a service of limited duration. Each Administration or private enterprise, duly authorized to that effect, fixes the hours of service for land stations under its jurisdiction.

(2) Land stations whose service is not continuous may not close before:

1st finishing all operations resulting from a distress call;

2nd exchanging all radiotelegrams originating in, or destined for mobile stations which are situated within their range and have indicated their presence before the actual cessation of work.

(3) The service of aeronautical stations is continuous during the entire period of flight in the sector or sectors of the route or routes for which the station in question carries on the service of radiocommunication.

**B. Ship Stations**

3. (1) For the international service of public correspondence, ship stations are divided, in accordance with the internal regulations of the Administrations to which they are subject, into three categories:

stations of the first category: these stations maintain a continuous service;

stations of the second category: these stations have working hours of limited duration as indicated in subparagraph (2) below;

stations of the third category: these stations have working hours of less duration than those of stations of the second category or working hours of which the duration is not fixed by the present Regulations.

(2) (a) Ship stations of the second category must provide a service at least during the hours assigned to them in Appendix 4. Mention of these hours is made in the licence.

(b) In case of short voyages, they provide a service during the hours fixed by the Administration to which they are subject.

(3) When practicable, the hours of service of ship stations of the third class may be mentioned in the List of Stations.

(4) As a general rule, when a coast station has traffic on hand for a station of the third category not having fixed hours of service and assumed to be within range of the coast station, the latter calls the ship station in the course of the first half hour of the first and third periods of watch for ships of the second category performing an eight-hour service in accordance with the provisions of Appendix 4.

4. (1) The provisions of section 2, sub-paragraph (2), of the present Article apply to ship stations strictly as regards the distress service, and, so far as possible, as regards the spirit of number 2 of the sub-paragraph.

(2) It rests with each of the contracting Governments to ensure the efficiency of the service of ship stations of its own nationality, by requiring the presence in such stations of the necessary number of operators, with due regard to its national regulations on this subject.

### **C. Aircraft Stations**

5. For the international service of public correspondence, aircraft stations are divided, in accordance with the national regulations of the Administrations to which they are subject into two categories:

stations of the first category: these stations provide a continuous service;

stations of the second category: these stations have limited working hours of which the duration is not fixed by the present Regulations.

### **D. Common Provisions**

6. (1) A mobile station which has no fixed working hours must inform the land station with which it has entered into communication, of the time of closing and reopening of its service.

(2) (a) Every mobile station which is about to close its service in consequence of its arrival must so notify the nearest land station, and, if necessary, the other land stations with which it generally communicates. It must not close until after the disposal of traffic on hand.

(b) On its departure, it must notify its reopening to the station or stations referred to above.

### **E. Class and Minimum Number of Operators**

7. So far as concerns the international public correspondence service of mobile stations, the staff of these stations must include at least:

1st for ship stations of the 1st category; one operator holding a 1st class certificate;



2nd for ship stations of the 2nd category; one operator holding a 1st or 2nd class certificate;

3rd (a) for ship stations of the 3rd category, except in the cases provided for in sub-paragraphs (b) and (c) below, one operator who has passed the examination for the 2nd class certificate;

(b) for ship stations for which the radiotelegraph installation is not compulsory as the result of international agreements, one operator holding a special certificate in conformity with the provisions of Article 10, D, section 6, (1);

(c) for ship stations equipped with a low-power radiotelephone installation, one operator holding a radiotelephone operator's certificate in conformity with Article 10, E, section 7;

4th (a) for aircraft stations, except in the cases provided for in sub-paragraphs (b) and (c) below, one operator holding a 1st or 2nd class certificate, according to the internal regulations of the Governments to which the stations are subject;

(b) for aircraft stations for which the radiotelegraph installation is not compulsory as the result of international agreements, one operator holding a special certificate in conformity with the provisions of Article 10, D, section 6, (1);

(c) for aircraft stations equipped with a low-power radiotelephone installation, one operator holding a radiotelephone operator's certificate in conformity with the conditions of Article 10, E, section 7.

## ARTICLE 24

### Order of Priority of Communications in the Mobile Service

The Order of priority of radiocommunications in the mobile service is as follows:—

- 1st distress calls, distress messages and distress traffic;
- 2nd communications preceded by an urgency signal;
- 3rd communications preceded by the safety signal;
- 4th communications relative to direction-finding bearings;

5th Government radiotelegrams for which the right of priority has not been renounced;

6th all other communications.

## ARTICLE 25

### Indication of the Station of Origin of Radiotelegrams

1. When, because of duplication of names, the name of a station is followed by the call sign of the station, the call sign is separated from the name of the station by



a fraction bar. Example: Oregon/OZOC (not Oregonozoc); Rose/DDOR (not Roseddor).

**2.** In retransmission, over the general communications system, of a radiotelegram received from a mobile station, the land station transmits, as office of origin, the name of the mobile station in which the radiotelegram originates as this name appears in the List of Stations, followed by the name of the land station.

**3.** The land station may, if it thinks it desirable, complete the indication of the name of the mobile station of origin by the word "ship", or "aeroplane", or "dirigible" placed before the name of the station of origin, in order to avoid any confusion with a telegraph office or a fixed station of the same name.

## ARTICLE 26

### Routing of Radiotelegrams

**1.** As a general rule, a mobile station which uses waves of type A2, A3 or B within the band from 365 to 515 kc/s (822 to 583 m) transmits its radiotelegrams to the nearest land station. In order to expedite or facilitate the transmission of the radiotelegrams, however, it may transmit them to another mobile station. The latter treats the radiotelegrams so received like those which originate with itself (see also Article 7 of the Additional Regulations).

(2) If, however, the mobile station has the choice between several land stations at approximately the same distance, it must give the preference to that which is established on the territory of the country of destination or of normal transit of the radiotelegrams. When the station chosen is not the nearest, the mobile station must cease working or must change the type or frequency of emission upon the first request made by the land station which is actually the nearest of those engaged on the particular kind of service, this request being based upon the interference which the working in question causes to the land station.

**2.** Mobile stations using either waves of type A1 or waves of type A2 or A3, outside the band from 365 to 515 kc/s (822 to 583 m) must, as a general rule, give the preference to the land station established on the territory of the country of destination or of the country likely to be the most suitable transit route for the radiotelegrams.

**3.** If the sender of a radiotelegram handed in at a mobile station has indicated the land station to which he desires his radiotelegram to be sent, the mobile station must, in order to effect this transmission to the land station indicated, wait, if necessary, until the conditions specified in the preceding paragraphs are fulfilled.

## ARTICLE 27

**Accounting for Radiotelegrams****A. Establishment of Accounts**

1. In principle, land station and ship and aircraft charges do not enter into the international telegraph accounts.

2. The Governments reserve to themselves the right to make between themselves and with the private enterprises concerned different arrangements with a view to the adoption of other provisions concerning accounting, more especially the adoption, so far as possible, of the system under which the land station and ship and aircraft charges follow the radiotelegrams from country to country through the medium of the telegraph accounts.

3. In the absence of a different arrangement in accordance with the provisions of section 2 above, the accounts relating to these charges are prepared month by month by the Administrations to which the land stations are subject and are communicated by them to the Administrations concerned.

4. Where the enterprise working the land stations is not the Administration of the country, this enterprise may be substituted, in respect of accounts, for the Administration of the country.

5. In the case of radiotelegrams originating in ship and aircraft stations, the Administration to which the land station is subject debits the Administration to which the ship or aircraft station of origin is subject with the land station charges, with the charges relating to transmission over the general telecommunications system—which will hereafter be called telegraph charges—with the total charges collected for prepaid replies, with the land station and telegraph charges made for collation, with the charges collected for delivery by express, by post or by air mail and with the charges for copies of multiple telegrams. So far as concerns transmission over the telegraph communication routes, radiotelegrams are treated, from the point of view of accounting, in conformity with the Telegraph Regulations.

6. In the case of radiotelegrams intended for a country lying beyond that to which the land station belongs, the telegraph charges to be liquidated conformably with the above provisions are those which arise either from the tables of rates relating to international telegraph correspondence, or from special arrangements made between the Administrations of adjoining countries and published by those Administrations, and not the charges which might be made by applying minimum charges per telegram or by methods of rounding the charge per telegram in any manner.

7. In the case of radiotelegrams addressed to ship and aircraft stations, the Administration to which the office of origin is subject is debited directly by the Administration to which the land station is subject, with the land station and ship or aircraft charges plus the land station and ship or aircraft charges applicable to collation, but only where the radiotelegram has been transmitted to the ship or aircraft station. In the case provided for in section 4 of Article 9 of the Additional Regulations, however, the Administration to which the office of origin is subject is debited with the land station charge by the Administration to which the land station is subject. The Administration to which the office of origin is subject is always debited, from country to country if necessary, through the medium of the telegraph accounts, by the Administration to which the land station is subject, with the total charges relating to prepaid replies and the telegraph charges relating to collation. As regards telegraph charges and charges for delivery by post or air mail, and for copies of multiple telegrams, the procedure, so far as the telegraph accounts are concerned, is in conformity with the normal telegraph procedure. The Administration to which the land station is subject credits, in so far as the radiotelegram has been transmitted, the Administration to which the ship or aircraft station of destination is subject, (a) with the ship or aircraft charge; (b) if occasion arises with the charges due to intermediate ship or aircraft stations, with the total charge collected for prepaid replies, with the ship or aircraft charge relating to collation, with the charges collected for copies of multiple telegrams, and with the charges collected for delivery by post or by air mail.

8. Paid service advices and replies to radiotelegrams with prepaid reply, are treated in all respects like other radiotelegrams in the accounts of the mobile service.

9. In the case of radiotelegrams exchanged between stations in ships or aircraft

(a) through the medium of a single land station:

The Administration to which the land station is subject debits the Administration to which the ship or aircraft station of origin is subject: with the land station charge, with the land telegraph charge, if any, and with the charge of the ship or aircraft station of destination. It credits the Administration to which the ship or aircraft station of destination is subject with the ship or aircraft charge due to that station.

(b) through the medium of two land stations:

The Administration to which the first land station is subject debits the Administration to which the ship or aircraft station of origin is subject with all charges collected after deduction of the charge due to that ship or aircraft station. The Administration to which the second land station is subject debits directly the Administration to which the first land station is subject with the charges relative to the transmission to the mobile station of destination, but only where this transmission has been effected.

**10.** In the case of radiotelegrams which, at the request of the sender, are forwarded through one or two intermediate ship or aircraft stations, each of these latter stations debits the ship or aircraft station of destination if the radiotelegram is destined for a ship or aircraft station, or the ship or aircraft station of origin if the radiotelegram originates in a ship or aircraft station, with the ship or aircraft charge due to it for transit.

## **B. Exchange, Verification and Settlement of Accounts**

**11.** In principle, the settlement of accounts relating to traffic exchanged between stations in ships or aircraft is made direct between the organizations operating the stations, that to which the station of origin is subject being debited by that to which the station of destination is subject.

**12.** In principle, the monthly accounts mentioned in this Article, which serve as a basis for the radiotelegram accounting, are prepared to show the monthly number of words in radiotelegrams from the same origin to the same destination, exchanged by each ship or aircraft station with the same land station, the model statement given in Appendix 10 being used so far as possible. The accounts are rendered within a period of three months, counting from the month to which they relate.

**13.** The acceptance of an account is notified or the observations thereon are made within a period of six months from the date of its despatch.

**14.** The periods mentioned in the two preceding paragraphs may be exceeded when exceptional difficulties occur in the transmission of the documents by post between the land stations and the Administrations to which they are subject. The settlement and examination of accounts presented more than eighteen months after the date of handing in of the radiotelegrams to which the accounts relate may, however, be refused by the debtor Administration.

**15.** In the absence of an agreement to the contrary, the following provisions are applicable to the radiotelegraph accounts referred to in the present Article.

**16.** (1) The monthly accounts are admitted without revision when the difference between the accounts prepared by the two Administrations concerned does not exceed one per cent. (1%) of the account of the creditor Administration, provided that the amount of this account is not more than one hundred thousand francs (100,000 fr.); when the amount of the account prepared by the creditor Administration is more than one hundred thousand francs (100,000 fr.), the difference must not exceed a total amount comprising:—



1st 1% of the first hundred thousand francs (100,000 fr.);

2nd 0·5% of the remainder.

If, however, the difference does not exceed twenty-five francs (25 fr.), the account must be accepted.

(2) A revision already begun is stopped when, following the exchange of observations between the two Administrations concerned, the difference has been reduced to an amount not exceeding the maximum fixed by the first sub-paragraph of this paragraph.

**17.** (1) Immediately after the acceptance of the accounts relating to the last month of a quarter, a quarterly account showing the balance for the whole of the three months of the quarter is, in the absence of an agreement to the contrary between the two Administrations concerned, prepared by the creditor Administration and transmitted in duplicate to the debtor Administration which, after verification, returns one of the copies endorsed with its acceptance.

(2) In default of acceptance of one or other of the monthly accounts of a given quarter before the expiration of the 6th month following the quarter to which the accounts relate, the quarterly account may, nevertheless, be prepared by the creditor Administration with a view to a provisional settlement which becomes obligatory for the debtor Administration under the conditions fixed by section 18 below. Adjustments subsequently agreed upon are included in a subsequent quarterly settlement.

**18.** The quarterly account must be verified and paid within a period of six weeks dating from the day on which the debtor Administration receives it. If this period is exceeded, the amounts due to one Administration by another bear interest at the rate of 6% per annum, from the day following the expiration of the said period.

**19.** (1) In the absence of an agreement to the contrary, the balance of the quarterly account is paid by the debtor Administration to the creditor Administration in gold or by means of cheques or drafts payable at sight drawn for a sum equivalent to the value of the balance expressed in gold francs.

(2) In the case of payment by means of cheques or drafts, these instruments are drawn in the money of a country where the central bank of issue or other official institution of issue buys and sells gold or gold currency against the national money at fixed rates determined by law or by virtue of an agreement with the Government. If the currencies of several countries fulfil these conditions, the creditor Administration indicates the currency which is convenient to it. The conversion is effected at the gold par rate.



(3) Where the currency of a creditor country does not fulfil the conditions specified under (2) above, the cheques or drafts may also be expressed in the currency of the creditor country if the two countries are agreed upon this procedure. In this case the balance is converted at the gold par rate into the currency of a country fulfilling the conditions mentioned above. The result obtained is then converted into the currency of the debtor country, and from this into the currency of the creditor country at the rate of exchange current in the capital or at a commercial centre of the debtor country on the day of delivery of the order for buying the cheque or the draft.

**20.** The cost of payment is borne by the debtor Administration.

**21.** The originals of radiotelegrams and the corresponding accounting documents are kept until the settlement of the relative accounts and, in any case, for at least ten months counting from the month following the handing in of the radiotelegram, with all necessary precautions from the point of view of secrecy.

## ARTICLE 28

### **Aircraft Radio Service of Public Correspondence**

Except in the case of special arrangements (Article 13 of the Convention), the provisions of the present Regulations relating to the procedure for exchanging and accounting for radiocommunications apply generally to the aircraft radio service of public correspondence.

## ARTICLE 29

### **Service of Low-Power Mobile Radiotelephone Stations(\*)**

**1.** The following provisions concern only the service of mobile radiotelephone stations of which the power of the carrier-wave in the aerial does not exceed 100 watts (except in the case of regional agreements as provided for in Article 10, section 7, (4) of the present Regulations) within the band from 1,530 to 2,000 kc/s (196·1 to 150 m).

**2.** The service of such a station must be carried out by an operator holding a radiotelephone operator's certificate (Article 10, section 7 of the present Regulations).

**3. (1)** For calling coast stations, the call sign or the geographical name of the place as it appears in the List of Coast Stations and Ship Stations or in the List of Stations performing Special Services, may be used as the radiotelephone call sign.

(\*) If occasion arises, these provisions may be applied to aircraft stations.

(2) For calling ship stations, either the name of the ship or a call sign in conformity with Article 14 of the present Regulations may be used as the radiotelephone call sign.

(3) In cases where the name and nationality of the ship cannot be ascertained with certainty, the call sign or the name shall be preceded by the name of the owner.

4. (1) The wave of 1,650 kc/s (182 m) is a calling wave for the mobile radiotelephone service. It may be used subject to the conditions specified in Article 7, section 7 [table, notes <sup>(11)</sup> and <sup>(13)</sup>]. This provision does not exclude the use of other frequencies which may be fixed by Administrations for the radiotelephone service with coast stations or ship stations designated by them.

(2) The coast stations and ship stations which use the calling wave of 1,650 kc/s (182 m) must be able to use at least one other wave in the band from 1,530 to 2,000 kc/s (196.1 to 150 m). This second wave will be printed in heavy type in the List of Stations to indicate that it is the normal working wave of the station. The working waves of these stations must be chosen so as to avoid interference with other radiocommunication stations.

(3) In addition to their normal working wave, coast stations and ship stations may use supplementary waves in the band mentioned. These waves are indicated in the List of Stations in ordinary type.

5. (1) In case of distress, if it is not possible to use for radiotelephony the general distress wave of 500 kc/s (600 m), the wave of 1,650 kc/s (182 m) may be used for the distress call and traffic. A station may also use any other wave to attract attention, indicate its situation and obtain assistance.

(2) The radiotelephony distress signal consists of the expression MAYDAY (corresponding to the French pronunciation of the expression "m'aider").

6. So far as reasonable and practicable, the provisions concerning the radiotelegraph service and, in particular, the provisions relating to interference, to distress, urgency and safety services, to the closing of the service and to calling (Articles 16, 20, 22, 23 and 18 of the present Regulations) are applicable to the radiotelephone service.

7. In the service of low-power mobile radiotelephone stations, the procedure indicated in Appendix 12 to the present Regulations may be applied.

## ARTICLE 30

**Special Services****A. Meteorology****1. Meteorological messages comprise:**

(a) messages addressed to meteorological services officially entrusted with the forecasting of weather and the protection of maritime and air navigation;

(b) messages from these services intended specially for:

- 1st mobile stations of the maritime service;
- 2nd the protection of the aircraft service;
- 3rd the public.

The information contained in these messages may be:

- 1st observations taken at fixed times;
- 2nd warnings of dangerous phenomena;
- 3rd forecasts and warnings;
- 4th statements of the general meteorological situation.

**2. (1)** The different national meteorological services agree together concerning the establishment of common programs of emission so as to use the transmitters best situated for the benefit of the largest areas they can serve.

(2) The meteorological observations contained in classes (a) and (b) 1st and 2nd above (section 1) are, in principle, drawn up in an international meteorological code whether they are transmitted by or intended for mobile stations.

**3.** Observation messages intended for an official meteorological service make use of the facilities resulting from the allocation of exclusive waves to the synoptic meteorological service and the aeronautical meteorological service, in conformity with regional agreements for the use of these waves concluded by the services concerned.

**4. (1)** Meteorological messages intended specially for the whole of the stations of the maritime mobile service are sent, in principle, in conformity with a fixed timetable, and, so far as possible, at times when they can be received by stations having only one operator, the speed of transmission being such that an operator possessing only a 2nd class certificate may be able to read the signals.

(2) During the transmission "to all stations" of meteorological messages intended for stations of the mobile service, all stations in that service whose transmissions might interfere with the reception of the messages in question, must keep silence in order to permit all stations which desire to do so to receive these messages.

(3) Meteorological warning messages are transmitted immediately and must be repeated after the end of the first silence period which follows (see Article 19, section 2). These messages must be sent on the waves

assigned to the maritime mobile service. Their transmission is preceded by the safety signal.

(4) In addition to the regular information services contemplated in the preceding sub-paragraphs, Administrations take the necessary measures to ensure that certain stations shall, upon request, communicate meteorological messages to stations in the mobile service.

(5) The preceding rules are applicable to the aircraft service, in so far as they are not contrary to more detailed regional arrangements ensuring at least an equal measure of protection to air navigation.

**5.** (1) Messages originating in mobile stations and containing information concerning the presence of tropical cyclones must be transmitted, with the least delay possible, to other mobile stations in the vicinity and to the competent authorities at the first point of the coast with which contact can be established. Their transmission is preceded by the safety signal.

(2) Every mobile station may intercept, for its own use, meteorological observations sent out by other mobile stations even when they are addressed to a national meteorological service. Stations in the mobile service which transmit meteorological observations addressed to a national meteorological service, are not required to repeat these observations; but the exchange between mobile stations, on request, of information relating to the state of the weather is authorized.

### **B. Time Signals. Notices to Navigators**

**6.** The provisions of section 4 above are applicable to time signals and to notices to navigators, with the exception, so far as concerns time signals, of the provisions of section 4, (3) of section A.

**7.** Messages containing information concerning the presence of dangerous ice, dangerous derelicts, or any other imminent danger to navigation must be transmitted, with the least delay possible, to other mobile stations in the vicinity and to the competent authorities at the first point of the coast with which contact can be established. These transmissions must be preceded by the safety signal.

**8.** When they think it desirable, and on condition that the sender consents thereto, Administrations may authorize their land stations to communicate information concerning maritime damage and casualties or information presenting a general interest for navigation, to the marine information agencies approved by them and subject to the conditions fixed by these Administrations.

### **C. Service of Direction-Finding Stations**

**9.** The Administrations to which direction-finding stations are subject accept no responsibility for the consequences of an inaccurate bearing.



**10.** These Administrations notify, for insertion in the List of Stations performing Special Services, the characteristics of each direction-finding station, indicating, for each one, the sectors in which bearings are normally accurate. Any change in these details must be published without delay; if the change is of a permanent nature, it must be communicated to the Bureau of the Union.

**11.** (1) The normal wave for direction-finding is the wave of 375 kc/s (800 m). All coast direction-finding stations must, in principle, be able to use this wave.<sup>(1)</sup> They must, in addition, be able to take bearings on emissions made on 500 kc/s (600 m), especially for locating signals of distress, alarm and urgency.

(2) An aircraft station desiring to have a bearing must, in order to ask for it, call on the wave of 333 kc/s (900 m) or on a wave allotted to the air route on which the aircraft is flying. In all cases where an aircraft, being in the vicinity of coast stations, applies to the latter for a bearing, it must use the frequency on which these coast stations keep watch.

**12.** The procedure to be followed in the direction-finding service is given in Appendix 13.

#### **D. Radiobeacon Service**

**13.** (1) When an Administration thinks it desirable, in the interests of maritime and air navigation, to organize a radiobeacon service, it may use for this purpose:—

(a) radiobeacons properly so called, established on land or on ships permanently moored; their emissions are either circular or directional;

(b) fixed stations, coast stations, or aeronautical stations deputed to act also as radiobeacons, at the request of mobile stations.

(2) Radiobeacons properly so called use the following waves:

(a) In the European region, for maritime radiobeacons, waves in the band from 290 to 320 kc/s (1,034 to 938 m), and for aircraft radiobeacons, waves in the band 350 to 365 kc/s (857 to 822 m), as well as certain waves in the band from 255 to 290 kc/s (1,176 to 1,034 m) chosen by international aeronautical organizations.

(b) In other regions, for maritime radiobeacons waves in the band from 285 to 315 kc/s (1,053 to 952 m) and, for aircraft radiobeacons, waves in the band from 194 to 365 kc/s (1,546 to 822 m).

---

<sup>(1)</sup> It is recognized that certain existing stations are not able to use this wave, but all new stations must be able to take bearings on 375 kc/s (800 m) and 500 kc/s (600 m).



(c) In addition, in Europe, Asia and Africa directional radiobeacons (maritime and aircraft) may use the waves in the bands from 1,500 to 1,630 kc/s (200 to 184 m) and from 1,670 to 3,500 kc/s (179.6 to 85.71 m) subject to the conditions fixed by section 20 of Article 7.

(d) The use of waves of type B is forbidden in radiobeacons properly so called.

(3) Other stations notified as radiobeacons use their normal transmitting frequency and their normal type of emission.

14. The signals sent by radiobeacons must permit of accurate and precise bearings being taken, they must be selected in such a way as to avoid all uncertainty when there is need to distinguish between two or more radiobeacon stations.

15. The Administrations which have organized a service of radiobeacons accept no responsibility for the consequences of inaccurate bearings obtained by means of radiobeacons in this service.

16. (1) The Administrations notify, for insertion in the List of Stations performing Special Services, the characteristics of each radiobeacon properly so called and of each station deputed to act as a radiobeacon, including, if necessary, the indication of the sectors in which bearings are normally accurate.

(2) Any modification or irregularity in working which occurs in the radiobeacon service must be published without delay; if the modification or the irregularity in working is of a permanent nature, it must be notified to the Bureau of the Union.

## ARTICLE 31

### **International Consultative Committee for Radiocommunications (C.C.I.R.)**

1. An international consultative committee for radiocommunications (C.C.I.R.) is charged with the task of studying technical radioelectric questions and questions of which the solution depends principally on considerations of a technical nature, which are submitted to it by the Administrations and by the Companies operating radioelectric installations.

2. (1) It is composed of experts from the Administrations and from the radioelectric operating companies or groups of companies recognized by their respective Governments, which declare their desire to participate in its work and undertake to contribute, in equal shares, to the general expenses of its meetings. The declaration is addressed to the Administration of the country in which the last Administrative Conference was held.

(2) International organizations interested in radioelectric studies, nominated by the last Plenipotentiary or

Administrative Conference and undertaking to contribute to the general expenses of the meetings as described in the preceding sub-paragraph, are also admitted.

(3) Each Administration, company, group of companies or international organization bears the personal expenses of its own experts.

3. In principle, the meetings of the C.C.I.R. are held every five years. The date fixed for a meeting may, however, be advanced or postponed by the Administration which has convened it, at the request of ten participating Administrations, if the number and nature of the questions to be examined justifies this course.

4. (1) The languages and the voting procedure used in the plenary sessions, committees and sub-committees are those adopted by the last Plenipotentiary or Administrative Conference.

(2) Nevertheless, when a country is not represented by an Administration, the experts of the operating companies recognized by that country, as a whole and irrespective of their numbers, exercise a single vote.

5. The Director of the Bureau of the Union or his representative and the representatives of the other International Consultative Committees, C.C.I.F. and C.C.I.T. have the right to participate, in a consultative capacity, in the meetings of the C.C.I.R.

6. The internal organization of the C.C.I.R. is governed by the provisions of Appendix 14 to the present Regulations.

## ARTICLE 32

### **Expenses of the Bureau of the Union**

1. The common expenses of the Bureau of the Union for the radiocommunication service must not exceed 200,000 gold francs a year.

2. If, however, exceptionally large expenses for printing or for documents occur in the course of a year, without the corresponding revenue being collected during the same year, the Bureau is authorized, in this case only, to exceed the maximum credit provided, subject to the condition that the maximum credit for the next succeeding year shall be reduced by an amount equal to the excess referred to above.

3. The sum of 200,000 gold francs may be modified at a later date with the consent of all the contracting parties.

## ARTICLE 33

### **Entry Into Force of the General Regulations**

The present General Regulations shall enter into force on the first of January nineteen hundred and thirty-four.

In witness whereof the respective plenipotentiaries have signed these General Regulations in a single copy which will remain deposited in the archives of the Government of Spain and of which a copy will be delivered to each Government.

Done at Madrid the 9th of December, 1932.

- |                                    |  |
|------------------------------------|--|
| For the Union of South Africa:     | For the French Colonies, Protectorates<br>and French Mandated Territories: |
| H. J. Lenton                       | G. Carour  |
| A. R. McLachlan                    |  |
| For Germany:                       | For the Portuguese Colonies:   |
| Hermann Giess                      | Ernesto Julio Navarro  |
| Dr. Hans Carl Steidle              | Arnaldo de Paiva Carvalho  |
| Dr. Paul Jäger                     | José Méndes de Vasconcellos Gui-   |
| Dr. Hans Harbich                   | marães   |
| Paul Münch                         | Maria Corrêa Barata da Cruz  |
| Martin Feuerhahn                   |  |
| Siegfried Mey                      | For the Swiss Confederation:   |
| Dr. Friedrich Herath               | G. Keller  |
| Rudolph Salzmann                   | E. Metzler   |
| Erhard Maertens                    |  |
| Curt Wagner                        | For Belgian Congo:   |
|                                    | F. G. Tondeur  |
| For the Argentine Republic:        | For Costa Rica:  |
| D. Garcia-Mansilla                 | A. Martin Lanuza   |
| R. Correa Luna                     |  |
| Luis S. Castiñeiras                | For Cuba:  |
| M. Saenz Briones                   | Manuel S. Pichardo   |
| For the Commonwealth of Australia: | For Curaçao and Surinam:   |
| J. M. Crawford                     | G. Schotel   |
|                                    | Hoogewoening   |
| For Austria:                       | For Cyrenaica:   |
| Dr. Rudolph Oestreicher            | G. Gnome   |
| Hans Pfeuffer                      |  |
| For Belgium:                       | For Denmark:   |
| B. Maus                            | Kay Christiansen   |
| R. Corteil                         | C. Lerche  |
|                                    | J. C. Gredsted   |
| For Bolivia:                       | For the Free City of Danzig:   |
| Jorge Saénz                        | Ing. Henryk Kowalski   |
|                                    | V. Zander  |
| For Brazil:                        | For the Dominican Republic:  |
| Luis Guimarães                     | E. Brache Hijo   |
|                                    | Juan de Olózaga  |
| For Canada:                        | For Egypt:   |
| Alfred Duranleau                   | R. Murray  |
| W. Arthur Steel                    | Mohamed Said   |
| Jean Désy                          |  |
| For Chile:                         | For the Republic of El Salvador:   |
| E. Bermúdez                        | Raoul Contreras  |
|                                    |  |
| For China:                         | For Ecuador:   |
| Lingoh Wang                        | Hipólito de Mozoncillo   |
|                                    | Abel Romeo Castillo  |
| For the Vatican City State:        | For Erythrea:  |
| Giuseppe Gianfranceschi            | G. Gnome   |
|                                    | Jian Francesco della Porta   |
| For the Republic of Colombia:      |  |
| Jos. Joaquin Casas                 |  |
| Alberto Sánchez de Iriarte         |  |
| W. MacLellan                       |  |

- For Spain:  
 Miguel Sastre  
 Ramon Miguel Nieto  
 Gabriel Hombre  
 Francisco Vidal  
 J. de Encio  
 Tomàs Fernàndez Quintana  
 Leopoldo Cal  
 Trinidad Matres
- For the United States of America:  
 Eugene O. Sykes  
 C. B. Jolliffe  
 Walter Lichtenstein  
 Irvin Stewart
- For Finland:  
 Niilo Orasmaa  
 Viljo Ylöstalo
- For France:  
 Jules Gautier
- For the United Kingdom of Great Britain and Northern Ireland:  
 F. W. Phillips  
 J. Louden  
 F. W. Home  
 C. H. Boyd  
 J. P. G. Worlledge
- For Greece:  
 Th. Pentheroudakis  
 St. Nicolis
- For Guatemala:  
 Virgilio Rodriguez Beteta  
 Enrique Traumann  
 Ricardo Castañeda Paganini
- For the Republic of Honduras:  
 Ant<sup>o</sup> Graiño
- For Hungary:  
 Ing. Jules Erdöss
- For the Italian Islands of the Aegean:  
 G. Gneme  
 E. Mariani
- For British India:  
 M. L. Pasricha  
 P. J. Edmunds
- For the Dutch East Indies:  
 A. J. H. van Leeuwen  
 van Dooren  
 G. Schotel  
 Hoogewooning
- For the Irish Free State:  
 P. S. Óh-Éigeartaigh  
 E. Cúisín
- For Iceland:  
 G. J. Hliddal
- For Italy:  
 G. Gneme  
 G. Montefinale
- For Japan,  
 For Chosen, Taiwan, Karafuto, the  
 Leased Territory of Kwantung and  
 the South Seas Islands under Japan-  
 ese Mandate:  
 Saichiro Koshida  
 Zenshichi Ishii  
 Satoshi Furihata  
 Y. Yonezawa  
 T. Nakagami  
 Takeo Iino
- For Latvia:  
 B. Einberg
- For Liberia:  
 Luis Maria Soler
- For Lithuania:  
 Ing. K. Gaigalis
- For Morocco:  
 Dubeauclard
- For Nicaragua:  
 José García-Plaza
- For Norway:  
 T. Engset  
 Hermod Petersen  
 Andr. Hadland
- For New Zealand:  
 M. B. Esson
- For the Republic of Panama:  
 M. Lasso de la Vega
- For the Netherlands:  
 H. J. Boetje  
 C. H. de Vos  
 J. A. Bland van den Berg  
 W. Dogterom
- For Peru:  
 Juan de Osma
- For Poland:  
 Ing. Henryk Kowalski  
 Kazimierz Goobel  
 K. Krulisz  
 Kazimierz Szymanski
- For Portugal:  
 Miguel Vaz Duarte Bacellar  
 José de Liz Ferreira  
 David de Sousa Pires  
 Joaquim Rodrigues Gonçalves
- For Roumania:  
 Ing. T. Tanasesco

For Italian Somaliland:

G. Gneme  
Gelmetti

For Sweden:

G. Wold

For Syria and Lebanon:

M. Morillon

For Tchecoslovakia:

Ing. Strnad  
Dr. Otto Kučera  
Ing. Jaromir Svoboda

For Tripolitania:

G. Gneme  
D. Crety

For Tunis:

Crouzet

For Turkey:

Fahri  
I. Cemal  
Mazhar

For the Union of Soviet Socialist  
Republics:

Eugène Hirschfeld  
Alexandre Kokadeev

For Uruguay:

Ad referendum of the Government  
of Uruguay  
Daniel Castellanos

For Venezuela:

César Mármol Cuervo  
Antonio Reyes

For Yugoslavia:

D. A. Zlatanovitch



## APPENDIX 1

### Table of Frequency and Instability Tolerances

(See Article 6)

1st. The frequency *tolerance* is the maximum divergence admissible between the frequency assigned to a station and the actual frequency emitted.

2nd. This divergence results from a combination of three errors:

(a) the error of the frequency meter or the frequency indicator used;

(b) the error made during the regulation of the station;

(c) slow variations of the frequency of the transmitter.

3rd. In the frequency tolerance, modulation is disregarded.

4th. The frequency *instability* is the maximum admissible divergence resulting solely from the error referred to in (c) above.

### Table of Frequency and Instability Tolerances

	Tolerances admissible immedi- ately.	Tolerances admissible for new transmitters only after 1933	Insta- bilities admissible immedi- ately	Insta- bilities admissible for new transmitters only after 1933
A. From 10 to 550 kc/s (30,000 to 545 m):	±	±	±	±
(a) Fixed stations.....	0.1%	0.1%		
(b) Land Stations.....	0.1%	0.1%		
(c) Mobile stations us- ing indicated fre- quencies.....	0.5% <sup>(1)</sup>	0.5% <sup>(1)</sup>		
(d) Mobile stations us- ing any wave within the band.....			0.5%	0.5%
(e) Broadcasting.....	0.3 kc/s	0.05 kc/s		
B. From 550 to 1,500 kc/s (545 to 200 m):				
(a) Broadcasting sta- tions.....	0.3 kc/s	0.05 kc/s		
(b) Land stations.....	0.1%	0.1%		
(c) Mobile stations using any wave with- in the band.....			0.5%	0.5%

<sup>(1)</sup> It is recognized that in this service there are a great number of spark transmitters and simple auto-oscillator transmitters which are not able to comply with this requirement.

	Tolerances admissible immedi- ately	Tolerances admissible for new transmitters only after 1933	Insta- bilities admissible immedi- ately	Insta- bilities admissible for new transmitters only after 1933
<i>C. From 1,500 to 6,000 kc/s (200 to 50 m):</i>	±	±	±	±
(a) Fixed stations.....	0.05%	0.03%		
(b) Land stations.....	0.1%	0.04%		
(c) Mobile stations us- ing indicated fre- quencies.....	0.1%	0.1%		
(d) Mobile stations us- ing any wave within the band.....			5 kc/s	3 kc/s
(e) Fixed and land sta- tions of low power (up to 250 watts in the aerial) working in the bands shared by the fixed and mobile services.....	( <sup>2</sup> )	( <sup>2</sup> )	5 kc/s	3 kc/s
<i>D. From 6,000 to 30,000 kc/s (50 to 10 m):</i>				
(a) Fixed stations....	0.05%	0.02%		
(b) Land stations.....	0.1%	0.04%		
(c) Mobile stations us- ing indicated fre- quencies.....	0.1%	0.1% (0.04% for frequencies in the shared bands).		
(d) Mobile stations us- ing any wave within the band.....			0.1%	0.05%
(e) Broadcasting sta- tions.....	0.03%	0.01%		
(f) Fixed and land sta- tions of low power (up to 250 watts in the aerial) working in the bands shared by the fixed and mo- bile services.....	( <sup>2</sup> )	( <sup>2</sup> )	0.1%	0.05%

(<sup>2</sup>) The admissible tolerances not being given, the Administrations shall fix tolerances as small as may be practicable.

*Note.*—The Administrations will endeavour to profit by technical progress to reduce progressively the frequency tolerances and the limits of instability.

## APPENDIX 2

### Table of Frequency Band-Widths Occupied by Emissions

(See Article 6)

The frequency bands effectively occupied, in principle, by the different types of transmission in the present state of technical development are indicated below.

Type of transmission	Width of the band Cycles per second (including the two side bands)
Telegraphy speed of 100 words a minute in Morse code (40 dots a second) on non-modulated continuous wave	from 80 to 240 (corresponding to the fundamental keying frequency and its third harmonic).
on modulated continuous wave.	same value as above, plus twice the frequency of modulation.
Transmission of fixed images...	approximately the ratio of the number of image elements <sup>(1)</sup> to be transmitted to the number of seconds necessary for the transmission. Example: 100,000: 100 = 1,000.
Television.....	approximately the product of the number of image elements <sup>(1)</sup> multiplied by the number of images transmitted per second. Example: $10,000 \times 20 = 200,000$ .
Commercial radiotelephony...	approximately 6,000.
High quality radiotelephony as, for example, in broadcasting.	approximately 10,000 to 20,000.

<sup>(1)</sup> A cycle is composed of two elements, a black and a white; the frequency of modulation is thus half the number of elements transmitted per second.

## APPENDIX 3

### Report of an Infringement of the Convention or of the Radiocommunication Regulations

(See Article 13)

<i>Particulars of the station infringing the Regulations.</i>	
1. Name, if known (in block letters) [Note (a)]	.....
2. Call sign (in block letters).....	.....
3. Nationality, if known.....	.....
4. Waves used (kc/s or m).....	.....
5. System [Note (b)].....	.....
<i>Particulars of the station reporting the irregularity.</i>	
6. Name (in block letters).....	.....
7. Call sign (in block letters).....	.....
8. Nationality.....	.....
9. Approximate position [Note (c)].....	.....
<i>Particulars of the irregularity.</i>	
10. Name [Note (d)] of station in communication with the station committing the irregularity.....	.....
11. Call sign of station in communication with the station committing the irregularity.....	.....
12. Time [Note (e)] and date.....	.....
13. Nature of irregularity [Note (f)].....	.....
14. <i>Extracts from log and other documents supporting the report (to be continued on the back of the form, if necessary). Time.</i>	
15. <i>Certificate:</i>	
I certify that the above report gives, to the best of my knowledge, a complete and accurate account of what took place.	
Date.....19	(*) .....

(\*) This report must be signed by the operator who has reported the irregularity and countersigned by the master of the ship or aircraft, or by the officer in charge of the land station.

### Instructions for Filling up This Form

Note (a) Only one ship or station to be dealt with in each report, see Note (d).

Note (b) Type A1, A2, A3, or B.

Note (c) Applicable to ships and aircraft only; must be expressed either in latitude and longitude (Greenwich) or by a true bearing and distance in nautical miles or in kilometres from some well-known place.

Note (d) If both communicating stations infringe the Regulations, a separate report is made for each of the stations.

Note (e) Must be expressed by a group of four figures (0001 to 2400) Greenwich mean time. If the irregularity covers a considerable period, the times must be shown under No. 14.

Note (f) A separate report is required for each irregularity unless they are obviously all made by the same person and have occurred within a short time. All reports must be forwarded in duplicate and when practicable must be typewritten.

(Indelible pencil and carbon paper may be used).

### For Use of Administration Only

- |   |           |
|---|-----------|
| 1. Company controlling the installation of the station against which complaint is made.. . . .      | . . . . . |
| 2. Name of operator of the station held responsible for the infringement of the regulations.. . . . | . . . . . |
| 3. Action taken.. . . .   | . . . . . |



## APPENDIX 4

### Hours of Service for Ships in the Second Category

(See diagram and map, Appendix 5 and also Articles 15 and 23)

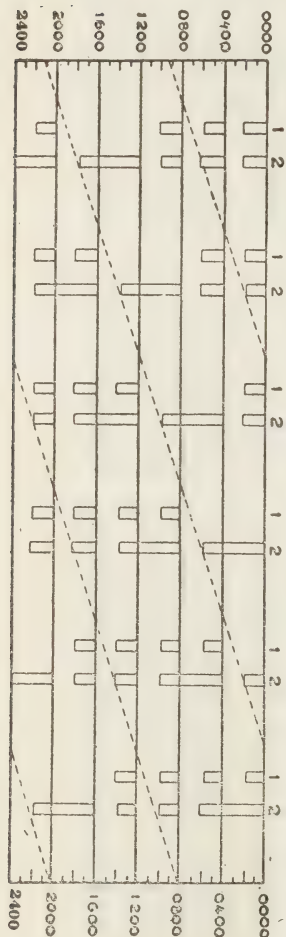
Zones	Western Limits	Eastern Limits	Hours of Service (Greenwich mean time)	
			8 hours (H 8)	16 hours (H 16)
A Eastern Atlantic, Mediterranean, North Sea, Baltic.	Meridian of 30° W., Coast of Greenland.	Meridian of 30° E. to the South of the Coast of Africa, Eastern limits of the Mediterranean, of the Black Sea, and of the Baltic, 30° E. to the North of Norway.	from 8h. 10h. 12h. 14h. 16h. 18h. 20h. 22h.	from 0h. 6h. 8h. 14h. 16h. 18h. 20h. 22h.
B Western Indian Ocean, Eastern Arctic Sea	Eastern Limit of Zone A.	Meridian of 80° E., Western Coast of Ceylon to Adam's Bridge, thence Westward round the coast of India.	from 4h. 6h. 8h. 10h. 12h. 14h. 16h. 18h.	from 0h. 2h. 4h. 10h. 12h. 14h. 16h. 18h. 20h. 24h.
C Eastern Indian Ocean, China Sea, Western Pacific Ocean	Eastern Limit of Zone B.	Meridian of 160° E.	from 0h. 2h. 4h. 6h. 8h. 10h. 12h. 14h.	from 0h. 6h. 8h. 10h. 12h. 14h. 16h. 22h.
D Central Pacific Ocean.	Eastern Limit of Zone C.	Meridian of 140° W.	from 0h. 2h. 4h. 6h. 8h. 10h. 20h. 22h.	from 0h. 2h. 4h. 6h. 8h. 10h. 12h. 18h. 20h. 24h.
E Eastern Pacific Ocean.	Eastern Limit of Zone D.	Meridian of 70° W. South of the Coast of America, West Coast of America.	from 0h. 2h. 4h. 6h. 16h. 18h. 20h. 22h.	from 0h. 2h. 4h. 6h. 8h. 14h. 16h. 22h.
F Western Atlantic Ocean and Gulf of Mexico.	Meridian of 70° W. South of the Coast of America, East Coast of America.	Meridian of 30° W., Coast of Greenland.	from 0h. 2h. 12h. 14h. 16h. 18h. 20h. 22h.	from 0h. 2h. 4h. 10h. 12h. 18h. 20h. 22h.

## APPENDIX 5

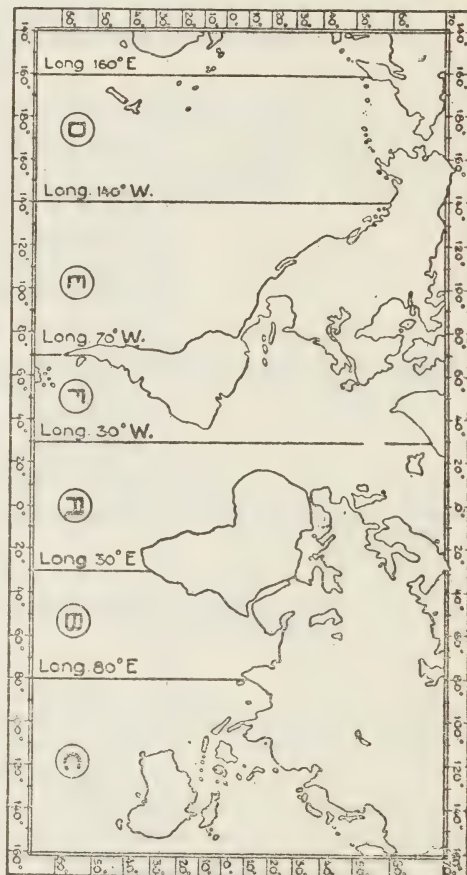
### Hours of Service for Ships in the Second Category

(See table in Appendix 4, and also Articles 15 and 23)

Time G.M.T.



Time G.M.T.



## APPENDIX 6

### Service Documents

(See Article 15)

#### Volume I. List of Coast Stations and Ship Stations

##### *Part A. Alphabetical index of coast stations*

Name of the station	Call sign	See Part B page
1	2	3

##### *Part B. Particulars of coast stations*

(Name of the country }  
Names of the stations } in alphabetical order.)

Name of the station	Call sign	Waves		Exact geographical position of the transmitting aerial <sup>(2)</sup>	Power in the aerial <sup>(3)</sup> kW	Service		Charges <sup>(4)</sup> <sup>(6)</sup>	Remarks <sup>(7)</sup>
		Frequencies (lengths) <sup>(1)</sup> kc/s (m)	Type			Nature	Hours of service <sup>(4)</sup>		
1	2	3	4	5	6	7	8	9	10

<sup>(1)</sup> The normal working wave is printed in heavy type.

<sup>(2)</sup> Meridian of Greenwich.

<sup>(3)</sup> In the case of beam aërials, the arc and the azimuth should be given.

<sup>(4)</sup> Greenwich mean time.

<sup>(5)</sup> The internal telegraph charge of the country to which the coast station is subject and the charge applied by this country to telegrams destined for adjoining countries are given in an Annex to the present List.

<sup>(6)</sup> If the accounts for charges are settled by a Company, the name and address of this Company should be stated, if necessary.

<sup>(7)</sup> Special information concerning the times for calling, for the transmission of traffic lists, etc.

##### *Part C. Particulars of ship stations*

The information concerning these stations is published in two or three lines in the following order:—

###### *1st line.*

Call sign, below which will be shown the ship charge followed by a note to indicate the Administration or Company to which the accounts for charges must be addressed. In the case of a change in the address of the operating authority, a second note after the charge will give the new address and the date from which the change will take effect;

name of the ship in alphabetical order without regard to nationality, followed by the call sign in the case of duplication of names; in that case the name and the call sign are separated by a fraction bar; then the symbols  $\times$ ,  $\Delta$ , etc. When two or more ships of the same nationality bear the same name, and also in cases where the accounts for charges must be sent direct to the owner of the ship, the name of the shipping line or of the firm to whom the ship belongs is given by means of a note;

power in the aerial in kilowatts;

metre-ampères, between brackets.

To obtain the product "metre-ampères" the *actual* height of the aerial in metres from the water-line is multiplied by the effective current in ampères at the base of the aerial;

nature of service;

hours of service in the form of a symbol or a reference. Times indicated otherwise than by a symbol must be given in Greenwich mean time.

*2nd line.*

(for the charge, see under 1st line).

Country to which the station is subject (abbreviated indication);

types and

frequencies (wave-lengths) of emission for which adjustments are made, the normal working wave being printed in heavy type.

*3rd line.*

Brief notes and observations.

## **Volume II. List of Aeronautical Stations and Aircraft Stations**

### *Part A. Alphabetical index of aeronautical stations*

Name of the Station	Call sign	See part B page
1	2	3

*Part B. Particulars of aeronautical stations*

(Name of the country)  
Names of the stations} in alphabetical order.)

Name of the station	Call sign	Waves				Exact geographical position of the transmitting aerial <sup>(2)</sup>	Power in the aerial <sup>(3)</sup>  kW	Service		Charges <sup>(5)</sup> <sup>(6)</sup>	Observations
		For transmission		For reception				Nature	Hours of service <sup>(4)</sup>		
		Frequencies <sup>(1)</sup> (lengths)  kc/s (m)	Type	Frequency (length)  kc/s (m)	Type						
1	2	3	4	5	6	7	8	9	10	11	12

(1) The normal working wave is printed in heavy type.

(2) Meridian of Greenwich.

(3) In the case of beam aerials, the arc and the azimuth should be given.

(4) Greenwich mean time.

(5) The internal telegraph charge of the country to which the aeronautical station is subject and the charge applied by that country to telegrams destined for adjacent countries are given in an annex to the present List of Stations.

(6) If the accounts for charges are settled by a Company, the name and address of the Company should be given, if necessary.

*Part C. Particulars of aircraft stations*

The stations are arranged in the alphabetical order of the call signs without regard to nationality.

Call sign		Name of the station or mark of nationality and registration	Frequencies (1) (lengths) $\left(\frac{K}{m}\right)_S$	Type	Power in the aerial kW	Country	Nature of service	Charges	Name and address of the Administration or Company to which accounts must be sent	Customary route (Home airport)	Type and make of aircraft	Observations
1	2											
3	4	5	6	7	8	9	10	11	12			

(1) The normal working wave is printed in heavy type.



# Volume III. List of Stations Performing Special Services

## Part A. Alphabetical Index of Stations

Name of the station	Call sign	See part B page
1	2	3

## Part B. Particulars of stations

### 1st. Direction-finding stations.

(Name of the country }  
Name of the station } in alphabetical order.)

Name of the station	Exact geographical position <sup>(1)</sup> of— (a) the receiving aerial of the DF station. (b) the transmitting aerial of the DF station. (c) the transmitting aerial of the station mentioned in column 8.	Call Sign	Waves types			Power in the aerial of the transmitter kW	Name and call sign of the station with which communication must be established if the DF station is not equipped with a transmitter	Charges	Observations. (a) Sectors in which bearings are normally accurate and references to national or international publications on buoyage. (b) Hours of service <sup>(2)</sup> , etc.
			frequencies (lengths)						
			For calling the DF station kc/s (m)	For transmitting to the DF station the signals necessary for taking bearings kc/s (m)	For the transmission of the bearings by the DF station kc/s (m)				
1	2	3	4	5	6	7	8	9	10

<sup>(1)</sup> Meridian of Greenwich.

<sup>(2)</sup> Greenwich mean time.

2nd. *Radiobeacon stations.*

The radiobeacons are arranged in two sections: (a) Maritime service, (b) Aircraft service.

(Name of the country }  
Name of the station } in alphabetical order.)

Name of station	Exact geographical position of the transmitting aerial of the radiobeacon <sup>(1)</sup>	Characteristic signal of the radiobeacon	Call sign of the radiobeacon if necessary	Wave			Normal range <sup>(2)</sup>	Name and call sign of the station to which requests for the emission of beacon signals may be addressed.	Calling wave frequency (length) kc/s (m)	Observations (a) sectors normally reliable and references to national or international publications on buoyage; (b) hours of service <sup>(3)</sup> (c) charges, etc.
				kc/s (m)	Type	Frequency of modulation if necessary c/s				
1	2	3	4	5	6	7	8	9	10	11

<sup>(1)</sup> Meridian of Greenwich.

<sup>(2)</sup> Ranges are indicated in nautical miles for stations of the maritime service and in kilometers for stations of the aircraft service.

<sup>(3)</sup> Greenwich mean time.

3rd. *Stations sending out time signals.*

(Name of the country }  
Name of the station } in alphabetical order.)

Name of the Station	Call Sign	Waves		Times of emission <sup>(1)</sup>	Method <sup>(2)</sup>
		Frequencies (lengths) kc/s (m)	Type		
1	2	3	4	5	6

<sup>(1)</sup> Greenwich mean time.

<sup>(2)</sup> General instructions concerning time signals.

4th. *Stations sending out regular meteorological bulletins.*

(Name of the country }  
Name of the station } in alphabetical order.)

Name of the station	Call sign	Waves		Times of emission <sup>(1)</sup>	Observations <sup>(2)</sup>
		Frequencies (lengths) kc/s (m)	Type		
1	2	3	4	5	6

<sup>(1)</sup> Greenwich mean time.

<sup>(2)</sup> General instructions concerning meteorological bulletins.

5th. *Stations sending out Notices to Navigators.*

(Names of the stations by countries with the necessary particulars.)

(a) Radiomaritime service.

(b) Aircraft radio service.

6th. *Stations sending out press messages addressed to all stations (CQ).*

(Name of the country.....)

(Name of the station with the necessary particulars.)

7th. *Stations sending out medical advice.*8th. *Stations sending out calibrated waves.*

## 9th. (If necessary, other classes of stations).

**Volume IV. List of Fixed Stations****(Index to the List of Frequencies of Fixed Stations Actually in Service)***Alphabetical index of stations arranged:*(a) *By stations—*

Station	Call Sign <sup>(1)</sup>	Frequency kc/s	Wave (wave-length (m))
1	2	3	

<sup>(1)</sup> The distinguishing call sign of each frequency must be indicated opposite this frequency.(b) *By countries—*

Station	Call signal <sup>(1)</sup>	Wave frequency kc/s	(length) (m)	Observations
1	2	3		4

<sup>(1)</sup> The distinguishing call sign of each frequency must be indicated opposite this frequency.**Volume V. List of Broadcasting Stations***Part A. Alphabetical index of stations*

Name of the station	Call sign	See part B page
1	2	3

## Part B. Particulars of stations

(Name of the country }  
Name of the station } in alphabetical order.)

Name of the station	Call sign	Frequencies (lengths) kc/s (m)	Exact geographical position of the transmitting aerial <sup>(1)</sup>	Power in the aerial kW	Name and address of the Administration or enterprise carrying out the emission	Observations
1	2	3	4	5	6	7

<sup>(1)</sup> Meridian of Greenwich.

## List of Frequencies

## I. General

(a) As regards *land, fixed and broadcasting stations*, the Administrations notify to the Bureau of the Union complete particulars for each frequency assigned to these stations (see Article 7, section 5).

(b) As regards *mobile stations*, complete particulars are not furnished. There is given in respect of each country, for each separate class of stations (ship, aircraft and others), only the frequencies assigned to these stations in the bands reserved for them.

Example:

5,525 kc/s (54·30 m) ship stations of the United States of America.

5,690 kc/s (52·72 m) aircraft stations of Brazil.

(c) The frequencies assigned to *stations performing special services* and also to *amateur stations and private experimental stations* are given in groups, country by country, for each class of station [example: 3,500 to 4,000 kc/s (85·71 to 75 m) amateur stations in Canada].

(d) In order to facilitate the use of the List of Frequencies, the Bureau of the Union mentions on each page the band of frequencies in the distribution list corresponding to the frequencies appearing on that page [example: 7,300 to 8,200 kc/s (41·10 to 36·59 m) Fixed services].

(e) For the technical terms and indications used in the List, Administrations are recommended to refer to the Avis issued by the C.C.I.R.

## II. Notification

(a) The date of notification of a frequency to be inserted in column 3 a, is the date borne by the communication in which the Bureau of the Union has been informed of the *first* allocation of this frequency to a station in the country indicated. The name of this station appears in column 5.

By country is meant in this List, the country within the limits of which the station is established.

(b) At the time of the notification of a frequency for a station of a country, the date to be inserted in column 3 b, opposite to the name of the station, is the same as that entered in column 3 a. If the same frequency is subsequently assigned to another station of the same country, there is entered opposite the name of the new station, in column 3 a, the date of the first notification referred to above and, in column 3 b, the date of allocation of this frequency to the new station.

(c) If, two years after the notification (column 3 b), the frequency notified has not been brought into use by the station to which it has been assigned, the relative entries are cancelled, unless the Administration concerned, which must be consulted by the Bureau of the Union six months before the end of the period referred to above, has requested their retention. In the latter case the dates of notification in columns 3 a and 3 b stand.

Exact frequency ke/s	Approximate wave-length metres	Date		Call Sign	Name and geographical position (1) of the station and name of the country to which the station is subject	Type of emission (A1, A2, A3, A4, B, Special)	Power in the aerial		Directivity of the aerial	Maximum frequency of modulation for the types of emission A2, A3, A4 and Special (2)	Maximum normal speed of transmission in bands (3)	Nature of service and countries with which communication is contemplated or established	Date of bringing into use of the frequency by the station named in column 5 (date contemplated in brackets) (4)	Operating Administration or Company	Observations
		a	b				in kW	Rate of modulation							
1	2	3	4	5	6	7	a	b	8	9	10	11	12	13	14

(1) Meridian of Greenwich.

(2) The figure to be inserted in column 9 must permit the width of the band of frequencies occupied by the transmission to be determined.

No sign precedes the figure when the transmission uses the two side bands. If the transmission uses only one side band, this is indicated by placing before the figure either the sign + (frequency side band above the carrier frequency) or - (frequency side band below the carrier frequency).

(3) The speed in bands for the international Morse code is approximately equal to  $0.8 \times$  words per minute.

(4) The Administration notify to the Bureau of the Union without delay the bringing into use of frequencies for which complete particulars appear in the List of Frequencies.



## APPENDIX 7

### Service Symbols

[See Articles 15 and 19, section 1, (6) (a).]	
×	station on board a warship or military or naval aircraft.
Δ	direction-finder on board a mobile station.
■	station classed as situated in a region where traffic is congested and for which traffic on 500 kc/s (600 m) is restricted in conformity with Article 19, section 1, (6) (a).
D 30°	directive aerial with maximum radiation in the direction 30° (expressed in degrees clock-wise from true North from zero to 360).
DR	directive aerial provided with a reflector.
FA	aeronautical station.
FC	coast station.
FR	station for reception only, connected with the general communications system.
FS	land station established solely for life-saving purposes.
FX	station performing a radio communication service between fixed points.
H 24	station open always, day and night.
H 16	ship station of the second category with 16 hours of service.
H 8	ship station of the second category with 8 hours of service.
HJ	station open from sunrise to sunset (day service).
HX	station not having fixed hours of service.
CO	station open exclusively to official correspondence.
CP	station open to public correspondence.
CR	station open to restricted public correspondence.
CV	station open exclusively to the correspondence of a private enterprise.
RC	circular radiobeacon.
RD	directional radiobeacon.
RG	direction-finding station.
RT	revolving radiobeacon.
RV	radiobeacon with variable direction.

## APPENDIX 8

### Documents With Which Mobile Stations Must be Provided

(See Articles 3, 10, 12 and 15 and Appendix 6.)

A. *“Ship stations” on board ships compulsorily equipped with a radiotelegraph installation:—*

1. the radioelectric licence;
2. the certificate (s) of the operator(s);
3. the log (diary of the radioelectric service) in which are recorded, at the time when they occur service incidents of all kinds and also communications exchanged with land stations or mobile stations relating to notices regarding casualties. If the ship's rules permit, the position of the vessel shall be indicated once daily in the log;
4. the Alphabetical List of Call Signs;
5. the List of Coast Stations and Ship Stations;
6. the List of Stations performing Special Services;
7. the Convention and the Regulations annexed thereto;
8. the telegraph tariffs of the countries for which the station most frequently accepts telegrams.

B. *Other “ship stations”:*—

the documents included under figures 1 to 5 of section A.

C. *“Aircraft stations”:*—

1. the documents included under figures 1, 2 and 3 of section A;
2. the List of Aeronautical and Aircraft Stations;
3. Such documents as the competent aeronautical organizations of the countries concerned may consider necessary to the station for the execution of its service.

## APPENDIX 9

### List of Abbreviations to be Used in Radio-communications

(See Article 16)

#### 1. Q Code

*Abbreviations available for all services (1) (2)*

Abbreviation	Question	Answer or advice
QRA	What is the name of your station?	The name of my station is...
QRB	How far approximately are you from my station?	The approximate distance between our stations is... nautical miles ( <i>or</i> ...kilometres).
QRC	What company (or Government Administration) settles the accounts for your station?	The accounts for my station are settled by the...company ( <i>or</i> by the Government Administration of...).
QRD	Where are you bound and where are you from?	I am bound for...from...
QRG	Will you tell me my exact frequency (wave-length) in kc/s ( <i>or</i> m)?	Your exact frequency (wave-length) is...kc/s ( <i>or</i> ...m)..
QRH	Does my frequency (wave-length) vary?	Your frequency (wave-length) varies.
QRI	Is my note good?	Your note varies.
QRJ	Do you receive me badly? Are my signals weak?	I cannot receive you. Your signals are too weak.
QRK	Do you receive me well? Are my signals good?	I receive you well. Your signals are good.
QRL	Are you busy?	I am busy ( <i>or</i> I am busy with ...) Please do not interfere.
QRM	Are you being interfered with?	I am being interfered with.
QRN	Are you troubled by atmospherics?	I am troubled by atmospherics.
QRO	Shall I increase power?	Increase power.
QRP	Shall I decrease power?	Decrease power.
QRQ	Shall I send faster?	Send faster (...words per minute).
QRS	Shall I send more slowly?	Send more slowly (...words per minute).
QRT	Shall I stop sending?	Stop sending.
QRU	Have you anything for me?	I have nothing for you.
QRV	Are you ready?	I am ready.
QRW	Shall I tell...that you are calling him on...kc/s ( <i>or</i> ...m)?	Please tell...that I am calling him on...kc/s ( <i>or</i> ...m).
QRX	Shall I wait? When will you call me again?	Wait ( <i>or</i> wait until I have finished communicating with...) I will call you at ...o'clock ( <i>or</i> immediately).
QRY	What is my turn?	Your turn is No...( <i>or according to any other method of arranging it</i> ).

(1) The abbreviations take the form of questions when they are followed by a note of interrogation.

(2) The series QA, QB, QC, QD, QE, QG are reserved for the special aeronautical code.

Abbr- viation	Question	Answer or advice
QRZ	Who is calling me?	You are being called by...
QSA	What is the strength of my signals ( <i>1 to 5</i> )?	The strength of your signals is... ( <i>1 to 5</i> ).
QSB	Does the strength of my signals vary?	The strength of your signals varies.
QSD	Is my keying correct; are my signals distinct?	Your keying is incorrect; your signals are bad.
QSG	Shall I send... telegrams ( <i>or</i> one telegram) at a time?	Send... telegrams ( <i>or</i> one telegram) at a time.
QSJ	What is the charge per word for... including your internal telegraph charge?	The charge per word for... is... francs, including my internal telegraph charge.
QSK	Shall I continue with the transmission of all my traffic, I can hear you through my signals?	Continue with the transmission of all your traffic, I will interrupt you if necessary.
QSL	Can you give me acknowledgment of receipt?	I give you acknowledgment of receipt.
QSM	Shall I repeat the last telegram I sent you?	Repeat the last telegram you have sent me.
QSO	Can you communicate with... direct ( <i>or</i> through the medium of...)?	I can communicate with... direct ( <i>or</i> through the medium of...).
QSP	Will you retransmit to... free of charge?	I will retransmit to... free of charge.
QSR	Has the distress call received from... been cleared?	The distress call received from... has been cleared by...
QSU	Shall I send ( <i>or</i> reply) on... kc/s ( <i>or</i> m) and/or on waves of Type A1, A2, A3, or B?	Send ( <i>or</i> reply) on... kc/s ( <i>or</i> m) and/or on waves of Type A1, A2, A3, or B.
QSV	Shall I send a series of VVV...?	Send a series of VVV...
QSW	Will you send on... kc/s ( <i>or</i> m) and/or on waves of Type A1, A2, A3 or B?	I am going to send ( <i>or</i> I will send) on... kc/s ( <i>or</i> m) and/or on waves of Type A1, A2, A3 or B.
QSX	Will you listen for... ( <i>call sign</i> ) on... kc/s ( <i>or</i> m)?	I am listening for... ( <i>call sign</i> ) on... kc/s ( <i>or</i> m).
QSY	Shall I change to transmission on... kc/s ( <i>or</i> m) without changing the type of wave? <i>or</i>	Change to transmission on... kc/s ( <i>or</i> m) without changing the type of wave <i>or</i>
	Shall I change to transmission on another wave?	Change to transmission on another wave.
QSZ	Shall I send each word or group twice?	Send each word or group twice.
QTA	Shall I cancel telegram No... as if it had not been sent?	Cancel telegram No... as if it had not been sent.
QTB	Do you agree with my number of words?	I do not agree with your number of words; I will repeat the first letter of each word and the first figure of each number.
QTC	How many telegrams have you to send?	I have... telegrams for you ( <i>or</i> for...).
QTE	What is my true bearing in relation to you? <i>or</i> What is my true bearing in relation to... ( <i>call sign</i> )? <i>or</i>	Your true bearing in relation to me is... degrees <i>or</i> Your true bearing in relation to... ( <i>call sign</i> ) is... degrees at... ( <i>time</i> ) <i>or</i>
	What is the true bearing of... ( <i>call sign</i> ) in relation to... ( <i>call sign</i> )?	The true bearing of... ( <i>call sign</i> ) in relation to... ( <i>call sign</i> ) is... degrees at... ( <i>time</i> ).



Abbreviation	Question	Answer or advice
QTF	Will you give me the position of my station according to the bearings taken by the direction-finding stations which you control?	The position of your station according to the bearings taken by the direction-finding stations which I control is ... latitude ... longitude.
QTG	Will you send your call sign for fifty seconds followed by a dash of ten seconds on ... kc/s (or ... m) in order that I may take your bearing?	I will send my call sign for fifty seconds followed by a dash of ten seconds on ... kc/s (or ... m) in order that you may take my bearing.
QTH	What is your position in latitude and longitude (or by any other way of showing it)?	My position is ... latitude ... longitude (or by any other way of showing it).
QTI	What is your true course?	My true course is ... degrees.
QTJ	What is your speed?	My speed is ... knots (or ... kilometres) per hour.
QTM	Send radioelectric signals and submarine sound signals to enable me to fix my bearing and my distance.	I will send radioelectric signals and submarine sound signals to enable you to fix your bearing and your distance.
QTO	Have you left dock (or port)?	I have just left dock (or port).
QTP	Are you going to enter dock (or port)?	I am going to enter dock (or port).
QTQ	Can you communicate with my station by means of the International Code of Signals?	I am going to communicate with your station by means of the International Code Signals.
QTR	What is the exact time?	The exact time is ...
QTU	What are the hours during which your station is open?	My station is open from ... to ...
QUA	Have you news of ... (call sign of the mobile station)?	Here is news of ... (call sign of the mobile station).
QUB	Can you give me in this order, information concerning: visibility, height of clouds, ground wind for ... (place of observation)?	Here is the information requested...
QUC	What is the last message received by you from .... (call sign of the mobile station)?	The last message received by me from ... (call sign of the mobile station) is ...
QUD	Have you received the urgency signal sent by ... (call sign of the mobile station)?	I have received the urgency signal sent by ... (call sign of the mobile station) at ... (time).
QUF	Have you received the distress signal sent by ... (call sign of the mobile station)?	I have received the distress signal sent by ... (call sign of the mobile station) at ... (time).
QUG	Are you being forced to alight in the sea (or to land)?	I am forced to alight (or land) at ... (place).
QUH	Will you indicate the present barometric pressure at sea level?	The present barometric pressure at sea level is ... (units).
QUJ	Will you indicate the true course for me to follow, with no wind, to make for you?	The true course for you to follow, with no wind, to make for me is ... degrees at ... (time).



## 2. Miscellaneous Abbreviations

Abbreviation	Meaning
C	Yes.
N	No.
P	Indicator of private telegram in the mobile service ( <i>to be used as a prefix</i> ).
W	Word or words.
AA	All after. . . ( <i>to be used after a note of interrogation to ask for a repetition</i> ).
AB	All before. . . ( <i>to be used after a note of interrogation to ask for a repetition</i> ).
AL	All that has just been sent ( <i>to be used after a note of interrogation to ask for a repetition</i> ).
BN	All between. . . ( <i>to be used after a note of interrogation to ask for a repetition</i> ).
BQ	A reply to an RQ.
CL	I am closing my station.
CS	Call sign ( <i>to be used to ask for a call sign or to have one repeated</i> ).
DB	I cannot give you a bearing, you are not in the calibrated sector of this station.
DC	The minimum of your signal is suitable for the bearing.
DF	Your bearing at. . . ( <i>time</i> ) . . . was degrees, in the doubtful sector of this station, with a possible error of two degrees.
DG	Please advise me if you note an error in the bearing given.
DI	Bearing doubtful in consequence of the bad quality of your signal.
DJ	Bearing doubtful because of interference.
DL	Your bearing at. . . ( <i>time</i> ) was. . . degrees in the doubtful sector of this station.
DO	Bearing doubtful. Ask for another bearing later, or at. . . ( <i>time</i> ).
DP	Beyond 50 miles, the possible error of bearing may amount to two degrees.
DS	Adjust your transmitter, the minimum of your signal is too broad.
DT.	I cannot furnish you with a bearing; the minimum of your signal is too broad.
DY	This station is two-way, what is your approximate direction in degrees in relation to this station?
DZ	Your bearing is reciprocal ( <i>to be used only by the control station of a group of direction-finding stations when it is addressing other stations of the same group</i> ).
ER	Here. . . ( <i>to be used before the name of the mobile station in the sending of route indications</i> ).
GA	Resume sending ( <i>to be used more especially in the fixed service</i> ).
JM	If I may transmit, send a series of dashes. To stop my transmission, send a series of dots [ <i>not to be used on 500 kc/s (600 m)</i> ].
MN	Minute or minutes ( <i>to be used to indicate the duration of a wait</i> ).
NW	I resume transmission ( <i>to be used more especially in the fixed service</i> ).
OK	Agreed.
RQ	Designation of a request.
SA	Indicator preceding the name of an aircraft station ( <i>to be used in the sending of particulars of flight</i> ).
SF	Indicator preceding the name of an aeronautical station.
SN	Indicator preceding the name of a coast station.
SS	Indicator preceding the name of a ship station ( <i>to be used in sending particulars of voyage</i> ).
TR	Indicator used in sending particulars concerning a mobile station.
UA	Are we agreed?
WA	Word after. . . ( <i>to be used after a note of interrogation to request a repetition</i> ).

Abbreviation	Meaning
WB	Word before ... <i>(to be used after a note of interrogation to request a repetition).</i>
XS	Atmospherics.
YS	Your service message.
ABV	Repeat <i>(or I repeat)</i> the figures in abbreviated form.
ADR	Address <i>(to be used after a note of interrogation to request a repetition).</i>
CFM	Confirm <i>(or I confirm).</i>
COL	Collate <i>(or I collate).</i>
ITP	Stops (punctuation) count.
MSG	Telegram concerning the service of the ship <i>(to be used as a prefix).</i>
NIL	I have nothing for you <i>(to be used after an abbreviation of the Q code to mean that the answer to the question put is negative).</i>
PBL	Preamble <i>(to be used after a note of interrogation to request a repetition).</i>
REF	Referring to ... <i>(or Refer to ...).</i>
RPT	Repeat <i>(or I repeat)</i> <i>(to be used to ask for or to give repetition of all or part of the traffic, the relative particulars being sent after the abbreviation).</i>
SIG	Signature <i>(to be used after a note of interrogation to request a repetition).</i>
SVC	Indicator of service telegram concerning private traffic <i>(to be used as a prefix).</i>
TFC	Traffic.
TXT	Text <i>(to be used after a note of interrogation to request a repetition).</i>

## APPENDIX 10

### Scale Used to Express the Strength of Signals

(See Article 16)

- 1 = Hardly perceptible; unreadable.
- 2 = Weak; readable now and then.
- 3 = Fairly good; readable, but with difficulty.
- 4 = Good; readable.
- 5 = Very good; perfectly readable.

## APPENDIX 11

(See Article 27)

Statement of radiotelegrams exchanged with mobile stations of.....nationality.

Year.....

Month.....

Land station.....

Origin	Destination	Number of radio-telegrams	Number of words	The Admn. (X): 5				Indicate in classes the number of special radio-telegrams and the relative number of words. 6
				Credits		Debits		
				Gold francs	cts.	Gold francs	cts.	
1	2	3	4					
s/s Ile de France	United States 1st Zone	5	90	.....	.....	.....	.....	1 urgent 13
s/s Paris	Brazil.....	3	65	.....	.....	.....	.....	
s/s Paris	Japan.....	2	19	.....	.....	.....	.....	
s/s France	s/s Espagne.....	4	46	.....	.....	.....	.....	2 urgent 15

## APPENDIX 12

### Procedure in the Service of Low-Power Mobile Radiotelephone Stations

(See Article 29)

1. The following procedure is given as an example <sup>(1)</sup> :—

1st A calls:

Hullo B, hullo B, A calling, A calling, radiotelegram for you, radiotelegram for you, over.

2nd B replies:

Hullo A, hullo A, B answering, B answering, send your radiotelegram, send your radiotelegram, over.

3rd A replies:

Hullo B, A answering, radiotelegram begins from  
....number....number of words....date....  
time....address....text....signature....,  
transmission of radiotelegram ends, I repeat,  
radiotelegram begins from....number....  
number of words....date....time....address  
....text....signature....radiotelegram ends,  
over.

4th B replies:

Hullo A, B answering, your radiotelegram begins,  
from....number....number of words....  
date....time....address....text....signature....,  
Your radiotelegram ends, over.

5th A replies:

Hullo B, A answering, correct, correct, switching off.

6th A then breaks off the communication and both stations resume their normal watch.

*Note:* At the beginning of a communication, the calling formula is spoken twice by both the station calling and the station called. When communication has been established, it is spoken once only.

---

<sup>(1)</sup> In the European telephone service, the use of the word "Hullo" is forbidden.

2. So far as spelling of call signs, service abbreviations and words is necessary, the procedure shall be in conformity with the following table:—

Figures to be indicated <sup>(2)</sup> .	Letters to be spelt.	Words to be used for spelling.	Letters to be spelt.	Words to be used for spelling.
1	A	Amsterdam	N	New York
2	B	Baltimore	O	Oslo
3	C	Casablanca	P	Paris
4	D	Danemark	Q	Quebec
5	E	Edison	R	Roma
6	F	Florida	S	Santiago
7	G	Gallipoli	T	Tripoli
8	H	Havana	U	Upsala
9	I	Italia	V	Valencia
0	J	Jerusalem	W	Washington
comma	K	Kilogramme	X	Xanthippe
fraction bar	L	Liverpool	Y	Yokohama
	M	Madagascar	Z	Zurich

3. When the station receiving is certain that it has correctly received the radiotelegram, the repetition contemplated under 4 of section 1 is unnecessary, unless a collated radiotelegram is concerned. If repetition is dispensed with, station B acknowledges the receipt of the radiotelegram sent, in the following form:—

Hullo A, B answering, your radiotelegram duly received, over.

## APPENDIX 13

### Procedure for Obtaining Direction-Finding Bearings

(See Article 30)

#### I. General Instructions

A. Before calling one or more direction-finding stations, for the purpose of asking for a bearing, the mobile station must ascertain from the List of Stations:

- 1st The call signs of the stations to be called to obtain the bearings desired.
- 2nd The wave on which the direction-finding stations keep watch, and the wave or waves on which they take bearings.
- 3rd The direction-finding stations which, being linked with it by special wires, can be grouped with the direction-finding station to be called.

B. The procedure to be followed by the mobile station depends on varying circumstances. Generally, the following must be taken into account:

- 1st If the direction-finding stations do not keep watch on the same wave, whether it be the wave on which bearings are taken or another wave, a separate request for the bearings must be made to each station or group of stations using a given wave.

<sup>(2)</sup> Each transmission of figures is preceded and followed by the words "as a number" spoken twice.



2nd. If all the direction-finding stations concerned keep watch on the same wave, and if they are able to take bearings on a common wave—which may be a wave other than the listening wave—they should all be called together, in order that the bearings may be taken by all the stations at the same time, on one and the same transmission.

3rd. If several direction-finding stations are grouped by means of special wires, only one of them must be called even if all are furnished with transmitting apparatus. In that case, however, the mobile station must, if necessary, specify in the call, by means of the call signs, the direction-finding stations from which it wishes to obtain bearings.

## II. Rules of Procedure

A. The mobile station calls the direction-finding station or stations on the wave given in the List of Stations as their listening wave. It transmits the abbreviation QTE, which means:—

“I wish to know my bearing in relation to the direction-finding station which I am calling.”

OR

“I wish to know my bearing in relation to the direction-finding station or stations whose call signs follow.”

OR

“I wish to know my bearing in relation to the direction-finding stations grouped under your control.”

and the call sign or signs necessary, and concludes by indicating, if necessary, the wave which it is going to use to enable its bearings to be taken. It then awaits instructions.

B. The direction-finding station or stations called prepare to take the bearing; if necessary, they warn the direction-finding stations with which they are linked. As soon as the direction-finding stations are ready, such of them as are provided with transmitting apparatus reply to the mobile station in the alphabetical order of their call signs, by giving their call sign followed by the letter K.

In the case of direction-finding stations which are grouped, the station called warns the other stations in the group and informs the mobile station as soon as the stations of the group are ready to take the bearing.

C. After having, if necessary, changed to its new transmitting wave, the mobile station replies by sending its call sign, together with any other signal needed, for a period sufficiently prolonged to permit the bearing to be taken.

D. The direction-finding station or stations which are satisfied with the operation transmit the signal QTE (“Your bearing in relation to me was . . . degrees”), preceded by the time of the observation and followed by a

group of three figures (000 to 359), indicating in degrees the true bearing of the mobile station in relation to the direction-finding station.

If a direction-finding station is not satisfied with the operation, it requests the mobile station to repeat the transmission described under C.

E. As soon as the mobile station has received the result of the observation, it repeats the message to the direction-finding station, which then states that the repetition is correct or, if necessary, corrects it by repeating the message. When the direction-finding station is sure that the mobile station has correctly received the message, it transmits the signal "end of work." This signal is then repeated by the mobile station, as an intimation that the operation is finished.

F. The particulars of (a) the signal to be used to obtain the bearing, (b) the duration of the transmission to be made by the mobile station, and (c) the time used by the direction-finding station in question are given in the List of Stations.

## APPENDIX 14

### **Rules of Procedure of the International Consultative Committee for Radiocommunications (C.C.I.R.)**

(See Article 31)

#### ARTICLE 1

By "Managing Administration" is meant the Administration which is charged with organizing a meeting of the C.C.I.R. The Managing Administration begins to undertake the work of the C.C.I.R. five months after the closing of the preceding meeting; its task ends five months after the closing of the meeting which it has organized.

#### ARTICLE 2

The Managing Administration fixes the place and the definite date of the meeting which it is charged with organizing. At least six months before that date, the Managing Administration addresses invitations for this meeting to all the Administrations of the International Telecommunication Union and through their intermediary to the companies, groups of companies and the international radioelectric organizations referred to in Article 31 of the General Radiocommunication Regulations.

#### ARTICLE 3

1. The first meeting of the plenary assembly is opened by the Managing Administration. This assembly sets up the necessary committees and divides among them, in classes, the question to be dealt with. It chooses also the

Chairman and the Vice-Chairman of the C.C.I.R.; and the Chairman and the Vice-Chairman or Vice-Chairmen of each committee.

2. The Chairman of the C.C.I.R. has charge of the plenary sessions; he undertakes in addition the general control of the work of the meeting. The Vice-Chairmen assist the Chairmen and take their places in case of absence.

#### ARTICLE 4

The secretariat of the meeting of the C.C.I.R. is provided by the Managing Administration, with the collaboration of the Bureau of the Union.

#### ARTICLE 5

In principle, the minutes and reports record the views of the delegates only as regards their principal points. Each delegate has, however, the right to require the insertion in the minutes or the reports, of any statement which he has made, either in the form of a summary or in full, on condition that he supplies the text by the morning after the end of the session at the latest.

#### ARTICLE 6

1. A delegation which is prevented by a serious reason from being present at sessions has the right to entrust its vote or votes to another delegation. The same delegation may not, however, combine and exercise in such circumstances, the votes of more than two delegations, including its own vote or votes.

2. A proposal is not adopted unless it receives a clear majority of the votes cast; if the votes are equal, it is rejected. The number of delegations which have voted *for* and the number of those which have voted *against* the proposal is recorded in the minutes.

3. Voting takes place either by raising the hand or, at the request of a delegation, by roll call, in the alphabetical order of the French names of the participating countries. In the latter case, the minutes shall indicate the delegations which have voted *for* and those which have voted *against* the proposal.

#### ARTICLE 7

1. The committees set up by the plenary session may divide themselves into sub-committees, and the sub-committees into sub-sub-committees.

2. The Chairman of a committee proposes for the approval of the relative committee the name of the Chairman of each sub-committee and sub-sub-committee. The committees, sub-committees and sub-sub-committees themselves nominate their reporters.

3. The various "avis" adopted by the committees must bear the word "*unanimously*" if the "avis" received the approval of all those voting or the words "*by a majority*" if the "avis" was adopted by a majority.

#### ARTICLE 8

The Bureau of the Union takes part in the various operations of the C.C.I.R. with a view to centralizing and publishing a general documentation for the use of the Administrations.

#### ARTICLE 9

1. At the closing session of the plenary assembly, the Chairman announces the list of "avis," and a list of questions which remain for solution and of new questions submitted by the committees.

2. The Chairman establishes, if necessary, the definite adoption of the various "avis" issued. If voting is necessary in the plenary assembly the words "unanimously" or "by a majority" are used in connection with such voting.

3. The questions remaining unsolved and new questions are recorded by the Chairman, if the meeting agrees that the study of them should be pursued. The Chairman then asks which Administrations desire to undertake the preparation of proposals relating to these questions and which other Administrations or radioelectric operating enterprises, are prepared to co-operate in the work. According to the replies, he draws up an official list of the questions to be included in the agenda for the following meeting, with particulars of the centralizing Administrations and the collaborating Administrations and private enterprises operating radioelectric communications. This list is included in the minutes of the session.

4. In the same session of the plenary assembly, the C.C.I.R., at the request or with the consent of the delegation concerned, designates the Administration which will summon the next meeting and the approximate date of this meeting. (\*)

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(\*) *Note by the International Bureau:* In its 3rd plenary assembly, the Radiotelegraph Conference of Madrid decided that the third meeting of the C.C.I.R. should be permitted to examine the question whether it would be convenient for that Committee to meet at the same place and at the same time as the next Administrative Radiotelegraph Conference. The recommendation by the C.C.I.R. on this subject would be for consideration by the Administration which will invite the next Conference and by the other Administrations of the Union which would decide whether it was necessary to give effect to the recommendation.

The procedure to be followed after the 3rd meeting of the C.C.I.R. is given in the minutes of the 4th plenary assembly of the Radiotelegraph Conference of Madrid.



## ARTICLE 10

1. After the closing of the meeting, the preparation of the questions assigned for study is entrusted to the Administration chosen to organize the next meeting (new Managing Administration). Matters still in hand are, however, entrusted to the former Managing Administration, which is charged with concluding them in collaboration with the Bureau of the Union.

2. The former Managing Administration transmits the documents to the new Managing Administration, at latest, five months after the closing of its meeting.

## ARTICLE 11

After the end of a meeting, all the other questions which the Administrations and radioelectric operating companies desire to submit to the Committee are addressed to the new Managing Administration. This Administration includes these questions in the agenda for the next meeting. A question may not, however, be included therein, if it has not been communicated to the Managing Administration at least six months before the date of the meeting.

## ARTICLE 12

1. All the documents relating to a meeting, sent before this meeting to the Managing Administration, or presented during the meeting, are printed and distributed by the Bureau of the Union in collaboration with the Managing Administration.

2. When the study of a question has been entrusted to a centralizing Administration, it rests with that Administration to take the necessary steps for proceeding with the study of the question. Collaborating Administrations and radioelectric operating companies must send their reports on the question direct to a centralizing Administration, six months before the date of the meeting of the C.C.I.R., in order that the said Administration may take them into account in its general report and in its proposals.

3. The Administrations and the radioelectric operating companies are, however, free to send a copy of their report to the Bureau of the Union also, if they desire that these reports should be communicated immediately and separately, through the medium of the Bureau, to all the Administrations and companies concerned.

## ARTICLE 13

The Managing Administration may correspond direct with the Administrations and the radioelectric operating companies considered capable of collaborating in the tasks of the Committee. It sends at least one copy of the documents to the Bureau of the Union.



**GENERAL RADIOCOMMUNICATION REGULATIONS ANNEXED TO THE  
INTERNATIONAL TELECOMMUNICATION CONVENTION, 1932**

The following Ratifications have been deposited:—

Belgium.. . . .	December 2, 1933
Belgian Congo and Ruanda-Urundi.. . . .	December 2, 1933
Netherlands.. . . .	December 23, 1933
Vatican City State.. . . .	December 27, 1933
Czechoslovakia.. . . .	January 5, 1934
Morocco.. . . .	February 25, 1934
Canada.. . . .	March 6, 1934
Syria and Lebanon.. . . .	May 22, 1934
Poland.. . . .	May 31, 1934
Luxemburg.. . . .	June 9, 1934
United States of America.. . . .	June 14, 1934
Spain.. . . .	June 27, 1934
Spanish Colonies and Spanish Zone of Morocco.. . . .	June 27, 1934
Switzerland.. . . .	August 1, 1934
Colombia.. . . .	November 7, 1934
Irish Free State.. . . .	February 15, 1935
Panama.. . . .	March 29, 1935
Albania.. . . .	May 6, 1935
Venezuela.. . . .	May 9, 1935
South Africa.. . . .	May 30, 1935
China.. . . .	June 5, 1935
Hungary.. . . .	June 10, 1935
Soviet Union.. . . .	June 15, 1935

The following State has acceded to the Regulations:—

Hayti.. . . .	August 3, 1935
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# FINAL PROTOCOL TO THE GENERAL RADIOCOMMUNICATION REGULATIONS ANNEXED TO THE INTERNATIONAL TELECOMMUNICATION CONVENTION

## Final Protocol

At the moment of proceeding to the signature of the General Radiocommunication Regulations annexed to the International Telecommunication Convention, the undersigned plenipotentiaries take note of the following declarations:

### I

The plenipotentiaries of Germany formally declare that their Government reserves to itself the right to continue the use of the waves of 105 kc/s (2,857 m) and 117.5 kc/s (2,553 m) for certain special press services carried out by radiotelephony.

### II

The plenipotentiaries of the Dutch East Indies formally declare that their Government reserves to itself the right not to permit mobile stations of its country to apply the provisions of the last two sentences of Article 26, section 1, (1) of the General Regulations concerning the retransmission of radiotelegrams through a mobile station, with the sole object of accelerating or facilitating transmission, instead of transmitting them to the nearest land station.

### III

The plenipotentiaries of the Union of Soviet Socialist Republics formally declare that their Government reserves to itself the right to use the following bands of frequencies for the services enumerated below:—

150 to	285 kc/s (2,000	to 1,053	m)	broadcasting
285 to	315 kc/s (1,053	to 952	m)	radiobeacons
315 to	340 kc/s (	952	to 882	m) aeronautical services and direction-finding
340 to	420 kc/s (	882	to 714	m) broadcasting
515 to	550 kc/s (	583	to 545	m) aeronautical services
9,600 to	9,700 kc/s (	31.25	to 30.93	m) broadcasting
11,700 to	11,900 kc/s (	25.64	to 25.21	m) fixed services
12,100 to	12,300 kc/s (	24.79	to 24.39	m) broadcasting
15,350 to	15,450 kc/s (	19.54	to 19.42	m) broadcasting
17,800 to	17,850 kc/s (	16.85	to 16.81	m) broadcasting
21,550 to	21,750 kc/s (	13.92	to 13.79	m) broadcasting

### IV

With reference to the declaration made in the present Protocol by the plenipotentiaries of the Union of Soviet Socialist Republics concerning the use of certain bands of

frequencies, the plenipotentiaries of China formally declare that their Government reserves to itself the right to take all the measures which may be necessary to protect their radiocommunications from any interference which may be caused by the putting into force of the aforesaid reservations of the Government of the Union of Soviet Socialist Republics.

## V

The plenipotentiaries of Hungary formally declare that in consequence of the reservation by the Union of Soviet Socialist Republics relating to Article 7 of the General Radiocommunication Regulations (distribution and use of frequencies), their Government reserves to itself the right not to apply the provisions of section 5, (2) of the Article in question, if the emissions from stations established by the Union of Soviet Socialist Republics, in pursuance of its reservation, interfere seriously with the emissions from Hungarian stations.

## VI

With reference to the declaration made in the present Protocol by the plenipotentiaries of the Union of Soviet Socialist Republics concerning the use of certain bands of frequencies, the plenipotentiaries of Japan formally declare that their Government reserves to itself for Japan, Chosen, Taiwan, Karafuto, the Leased Territory of Kwantung and the South Seas Islands under Japanese Mandate, the right to take all the measures which may be necessary to protect their radiocommunications from any interference which may be caused by the putting into force of the aforesaid reservations of the Government of the Union of Soviet Socialist Republics.

## VII

The plenipotentiaries of Poland and Roumania, in view of the reservations already formulated on the subject of the use of certain bands of frequencies, formally declare that in the event of a satisfactory regional arrangement (European Conference) or a satisfactory special arrangement not being concluded, each of their Governments reserves to itself the right to make, if necessary, certain exceptions so far as concerns the use for aeronautical services of certain frequencies outside the bands assigned by Article 7 of the General Radiocommunication Regulations, in agreement with the neighbouring countries concerned, and, in particular, not to observe the delay prescribed in section 5, (2) of that Article, in order to safeguard the fundamental needs of these services against any interference which may be caused by the putting into force of the reservations mentioned above.

In witness whereof the undersigned plenipotentiaries have drawn up the present Protocol and have signed it in a single copy, which shall remain in the archives of the Government of Spain and of which a copy shall be sent to each Government which has signed the Protocol in question.

Done at Madrid the 9th of December, 1932.

- For the Union of South Africa:  
H. J. Lenton  
A. R. McLachlan
- For Germany:  
Hermann Giess  
Dr. Hans Carl Steidle  
Dr. Paul Jäger  
Dr. Hans Harbich  
Paul Münch  
Martin Feuerhahn  
Siegfried Mey  
Dr. Friedrich Herath  
Rudolph Salzmann  
Erhard Maertens  
Curt Wagner
- For the Argentine Republic:  
D. Garcia-Mansilla  
R. Correa Luna  
Luis S. Castiñeiras  
M. Sàenz Eriones
- For the Commonwealth of Australia:  
J. M. Crawford
- For Austria:  
Dr. Rudolph Oestreicher  
Hans Pfeuffer
- For Belgium:  
B. Maus  
R. Corteil
- For Bolivia:  
Jorge Saénz
- For Brazil:  
Luis Guimarães
- For Canada:  
Alfred Duranleau  
W. Arthur Steel  
Jean Désy
- For Chile:  
E. Bermúdez
- For China:  
Lingoh Wang
- For the Vatican City State:  
Giuseppe Gianfranceschi
- For the Republic of Colombia:  
Jos. Joaquin Casas  
Alberto Sánchez de Iriarte  
W. Mac Lellan
- For the French Colonies, Protectorates  
and French Mandated Territories:  
G. Corour
- For the Portuguese Colonies:  
Ernesto Julio Navarro  
Arnaldo de Paiva Carvalho  
José Méndes de Vasconcellos  
Guimarães  
Maria Correa Barata da Cruz
- For the Swiss Confederation:  
G. Keller  
E. Metzler
- For Belgian Congo:  
F. G. Tondeur
- For Costa Rica:  
A. Martin Lanuza
- For Cuba:  
Manuel S. Pichardo
- For Curaçao and Surinam:  
G. Schotel  
Hoogewooning
- For Cyrenaica:  
G. Gnome
- For Denmark:  
Kay Christiansen  
C. Lerche  
J. C. Gredsted
- For the Free City of Danzig:  
Ing. Henryk Kowalski  
V. Zander
- For the Dominican Republic:  
E. Brache Hijo  
Juan de Olózaga
- For Egypt:  
R. Murray  
Mohamed Said
- For the Republic of El Salvador:  
Raoul Contreras
- For Ecuador:  
Hipólito de Mozoncillo  
Abel Romeo Castillo
- For Erythrea:  
G. Gnome  
Jian Francesco della Porta
- For Spain:  
Miguel Sastre  
Ramon Miguel Nieto  
Gabriel Hombre  
Francisco Vidal  
J. de Encio  
Tomás Fernández Quintana  
Leopoldo Cal  
Trinidad Matres
- For the United States of America:  
Eugene O. Sykes  
C. B. Jolliffe  
Walter Lichtenstein  
Irvin Stewart
- For Finland:  
Niilo Orasmaa  
Viljo Ylöstalo
- For France:  
Jules Gautier



For the United Kingdom of Great Britain and Northern Ireland:  
 F. W. Phillips  
 J. Louden  
 F. W. Home  
 C. H. Boyd  
 J. P. G. Worlledge

For Greece:  
 Th. Pentheroudakis  
 St. Nicolis

For Guatemala:  
 Virgilio Rodriguez Beteta  
 Enrique Traumann  
 Ricardo Castañeda Paganini

For the Republic of Honduras:  
 Ant<sup>o</sup> Graiño

For Hungary:  
 Ing. Jules Erdöss

For the Italian Islands of the Aegean:  
 G. Gnome  
 E. Mariani

For British India:  
 M. L. Pasricha  
 P. J. Edmunds

For the Dutch East Indies:  
 A. J. H. van Leeuwen  
 van Dooren  
 G. Schotel  
 Hoogewooning

For the Irish Free State:  
 P. S. Óh-Éigearthaigh  
 E. Cúisín

For Iceland:  
 G. J. Hliddal

For Italy:  
 G. Gnome  
 G. Montefinale

For Japan, for Chosen, Taiwan, Karafuto, the Leased Territory of Kwantung and the South Seas Islands under Japanese Mandate:  
 Saichiro Koshida  
 Zenshichi Ishii  
 Satoshi Furihata  
 Y. Yonezawa  
 T. Nakagami  
 Takeo Ilino

For Latvia:  
 B. Einberg

For Liberia:  
 Luis Maria Soler

For Lithuania:  
 Ing. K. Gaigalis

For Morocco:  
 Dubeauclard

For Nicaragua:  
 José García-Plaza

For Norway:  
 T. Engset  
 Hermod Petersen  
 Andr. Hadland

For New Zealand:  
 M. B. Esson

For the Republic of Panama:  
 M. Lasso de la Vega

For the Netherlands:  
 H. J. Boetje  
 C. H. de Vos  
 J. A. Bland van den Berg  
 W. Dogterom

For Peru:  
 Juan de Osma

For Poland:  
 Ing. Henryk Kowalski  
 K. Krulisz

For Portugal:  
 Miguel Vaz Duarte Bacellar  
 José de Liz Ferreira  
 David de Sousa Pires  
 Joaquim Rodrigues Gonçalves

For Roumania:  
 Ing. T. Tanasesco

For Italian Somaliland:  
 G. Gnome  
 Gelmetti

For Sweden:  
 G. Wold

For Syria and Lebanon:  
 M. Morillon

For Tchechoslovakia:  
 Ing. Strnad  
 Dr. Otto Kučera  
 Ing. Jaromir Svoboda

For Tripolitania:  
 G. Gnome  
 D. Crety

For Tunis:  
 Crouzet

For Turkey:  
 Fahri  
 I. Cemal  
 Mazhar

For the Union of Soviet Socialist Republics:  
 Eugène Hirschfeld  
 Alexandre Kokadeev

For Uruguay:  
 Ad referendum of the Government of Uruguay  
 Daniel Castellanos

For Venezuela:  
 César Mármol Cuervo  
 Antonio Reyes

For Yugoslavia:  
 D. A. Zlatanovitch



## FINAL PROTOCOL TO THE GENERAL RADIOCOMMUNICATION REGULATIONS, 1932

The following Ratifications have been deposited:—

Belgium.. . . .	December 2, 1933
Belgian Congo and Ruanda-Urundi.. . . .	December 2, 1933
Netherlands.. . . .	December 23, 1933
Vatican City State.. . . .	December 27, 1933
Czechoslovakia.. . . .	January 5, 1934
Poland.. . . .	May 31, 1934
Luxemburg.. . . .	June 9, 1934
United States of America.. . . .	June 14, 1934
Spain.. . . .	June 27, 1934
Spanish Colonies and Spanish Zone of Morocco.. . . .	June 27, 1934
Venezuela.. . . .	May 9, 1935

The following State has acceded to the Final Protocol:—

Bulgaria.. . . .	December 13, 1933
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DOMINION OF CANADA  
TREATY SERIES, 1934  
No. 4

SILVER AGREEMENT  
WITH  
SUPPLEMENTARY UNDERTAKING

Signed at London July 22, 1933

---

Canadian ratification deposited in Washington March 28, 1934

---

IN FORCE APRIL 24, 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935

*Price, 25 cents*



MONETARY AND ECONOMIC  
CONFERENCE

---

AGREEMENTS REGARDING  
SILVER



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935





# AGREEMENTS REGARDING SILVER

## I

**Memorandum of Heads of Agreement Entered Into by the Delegates of India, China and Spain, as Holders of Large Stocks or Users of Silver, and of Australia, Canada, the United States, Mexico and Peru, as Principal Producers of Silver, at the Monetary and Economic Conference, Held in London, July, 1933.**

Whereas, at a meeting of the Sub-Commission II (Permanent Measures) of the Monetary and Financial Commission of the Monetary and Economic Conference held on Thursday, July 20th, 1933, the following resolution was unanimously adopted.

“Be it resolved to recommend to all the Governments parties to this Conference:

“(a) That an agreement be sought between the chief silver producing countries and those countries which are the largest holders or users of silver with a view to mitigating fluctuations in the price of silver; and that the other nations not parties to this agreement should refrain from measures which could appreciably affect the silver market;

“(b) That the Governments parties to this Conference shall refrain from new legislative measures which would involve further debasement of their silver coinage below a fineness of 800/1000;

“(c) That they shall substitute silver coins for low-value paper currency in so far as the budgetary and local conditions of each country will permit;

“(d) That all of the provisions of this resolution are subject to the following exceptions and limitations:

“The requirements of such provisions shall lapse on April 1st, 1934, if the agreement recommended in paragraph (a) does not come into force by that date, and in no case shall extend beyond January 1st, 1938;

“Governments may take any action relative to their silver coinage that they may deem necessary to prevent the flight or destruction of their silver coinage by reason of a rise in the bullion price of the silver content of their coin above the nominal or parity value of such silver coin”, and,

Whereas, the Governments of India and Spain may desire to sell certain portions of their silver holdings, and it will be to their advantage that the countries which are large producers of silver should absorb silver as herein provided, to offset such sales, and,

Whereas, it is to the advantage of the large producing countries named in Article 2 that the sales of silver from monetary stocks be limited as herein provided, and

Whereas, it is to the advantage of China that sales from monetary stocks of silver be offset by purchases as herein provided, with a view to its effective stabilisation;

Now, therefore, it is agreed between the parties hereto:

1. (a) That the Government of India shall not dispose by sale of more than one hundred and forty million fine ounces of silver during a period of four years, commencing with January 1st, 1934. The disposals during each calendar year of the said four-year period shall be based on an average of thirty-five million fine ounces per year, it being understood, however, that, if in any year, the Government of India shall not dispose of thirty-five million fine ounces, the difference between the amount actually disposed of and thirty-five million fine ounces may be added as additional disposals in subsequent years. Provided further that the maximum amount disposed of in any year shall be limited to fifty million fine ounces.

(b) Notwithstanding anything previously stated in this article, it is understood that if the Government of India should, after the date of this agreement, sell silver to any Government for the purpose of transfer to the United States Government in payment of war debts, such silver shall be excluded from the scope of this agreement;

(c) Provided, however, that, when the total of the disposals referred to in paragraph (a) above plus the sales referred to in paragraph (b) above by the Government of India under this agreement shall amount to one hundred and seventy-five million fine ounces, the obligation of the parties hereto shall cease.

2. That the Governments of Australia, Canada, the United States, Mexico and Peru, during the existence of this agreement, shall not sell any silver, and shall also in the aggregate purchase, or otherwise arrange for withdrawing from the market, thirty-five million fine ounces of silver from the mine production of such countries in each calendar year for a period of four years, commencing with the calendar year 1934. The said Governments undertake to settle by agreement the share in the said thirty-five million fine ounces which each of them shall purchase or cause to be withdrawn.

3. That the silver purchased or withdrawn in accordance with Article 2 above shall be used for currency purposes (either for coinage or for currency reserves), or be otherwise retained from sale during said period of four years.

4. That the Government of China shall not sell silver resulting from demonetised coins for a period of four calendar years commencing January 1st, 1934.

5. That the Government of Spain shall not dispose by sale of more than twenty million fine ounces of silver during a period of four years commencing January 1st, 1934. The disposals during each calendar year of the said four-year period shall be based on an average of five million fine ounces per year; it being understood, however, that, if in any year the Government of Spain shall not dispose of five million fine ounces, the difference between the amount actually disposed of and five million fine ounces may be added as additional disposals in subsequent years; provided further that the maximum amount disposed of in any year shall be limited to seven million fine ounces.

6. That the Governments concerned will exchange all such information as may be necessary with regard to the measures to fulfil the provisions of this memorandum of agreement.

7. That it is understood that subject to the provisions of Article 8, the undertakings of each party to the present memorandum of agreement are conditional upon the fulfilment of the undertakings of every other party thereto.

8. That this memorandum of agreement is subject to ratification by the Governments concerned. The instruments of ratification shall be deposited not later than April 1st, 1934, with the Government of the United States. It shall come into force as soon as the ratifications of all the Governments concerned are received, provided that all the ratifications are received before April 1st, 1934. A notice by any Government that the affirmative action necessary to carry out the purposes of this agreement has been taken will be accepted as an instrument of ratification. Nevertheless, if one or more of the Governments enumerated in Article 2 fail to ratify by April 1st, 1934, the agreement shall come into force at that date if the other Governments mentioned in Article 2 which have ratified notify the other Governments which ratify that they are prepared to purchase, or cause to be withdrawn, in the aggregate the amount of silver mentioned in Article 2. The Government of the United States is requested to take such steps as may be necessary for the purpose of the conclusion of this agreement.

IN WITNESS WHEREOF the undersigned have signed the present memorandum of agreement.

DONE at London this 22nd day of July, 1933, in a single copy which shall be deposited in the archives of the Government of the United States.

S. M. BRUCE,

*Delegate of Australia.*

EDGAR N. RHODES,

*Delegate of Canada.*

W. W. YEN,

*Delegate of China.*

KEY PITTMAN,

*Delegate of United States of America.*

GEORGE SCHUSTER,

*Delegate of India.*

EDUARDO SUAREZ,

*Delegate of Mexico.*

F. TUDELA,

*Delegate of Peru.*

L. NICOLAU D'OLWER,

*Delegate of Spain.*



## SUPPLEMENTARY UNDERTAKING

### II

In connection with the attached memorandum of heads of agreement entered into by the Delegates of India, China and Spain as holders of large stocks or users of silver, and of Australia, Canada, the United States, Mexico and Peru, as principal \*purchasers of silver, it is understood that the Government of Canada shall purchase or otherwise arrange for withdrawing from the market, as in the attached memorandum of agreement provided, one million, six hundred and seventy-one thousand, eight hundred and two fine ounces of silver in each calendar year beginning with the calendar year 1934.

This understanding is conditioned upon similar undertakings being entered into by the Governments of Australia, United States, Mexico, and Peru, whereby those Governments agree to purchase or otherwise arrange for withdrawing from the market of amounts of fine ounces of silver which, with the obligation hereby entered into, will make in the aggregate thirty-five million fine ounces of silver annually.

It is understood that this agreement and the similar agreements to be entered into by the Delegates of the Governments of Australia, the United States, Mexico, and Peru are subject to the following general provisions:

1. That every provision of this agreement shall terminate on January 1, 1938.

2. That the absorption of silver referred to in this agreement means current mine production.

3. That when the Government of India shall have sold, transferred or otherwise disposed of Government stocks of silver to the net amount of one hundred and seventy-five million fine ounces, as provided in paragraph (c) of Article 1 of the attached memorandum of heads of agreement, the obligations of governments to purchase under this contract shall cease.

4. That this memorandum is subject to ratification by the proper governmental authorities of Canada whose delegate has executed this agreement, and the undersigned delegate undertakes to use his good offices to secure such action at the earliest possible date.

5. That this understanding shall come into force as soon as the ratifications of all the governments concerned are received, provided that all the ratifications are received before the 1st of April, 1934. A notice by any government, party to this understanding, that the affirmative action necessary to carry out the purposes of this understanding has been taken will be accepted as an instrument of ratification. Nevertheless, if one or more of the governments parties to this understanding have failed to ratify by the first of April, 1934, the understanding shall go into force and effect at that date if the other governments parties to this understanding have ratified the understanding and have given notice that

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\* For purchasers read producers, typographical error in original document.



they are prepared to purchase or cause to be withdrawn in the aggregate these thirty-five million fine ounces of silver. The Government of the United States is requested to take such steps as may be necessary for the purpose of the conclusion of this agreement.

IN WITNESS WHEREOF, the undersigned has signed this memorandum of agreement.

DONE at London this 22nd day of July, 1933, in a single copy which shall be deposited in the archives of the Government of the United States.

EDGAR N. RHODES,

*Delegate of Canada.*

N.B.—The Delegates of Australia, Mexico, Peru and the United States of America signed the same Supplementary Undertaking as the one signed by the Delegate of Canada.

With the consent of all the signatories of the Silver Agreement the date mentioned in Section 8, page 5, and Section 5, page 6, was extended from the 1st April, 1934, to the 1st May, 1934.

The Agreement and the Supplementary Undertaking came into force on April 24, 1934.

LIST OF RATIFICATIONS DEPOSITED WITH THE DEPARTMENT OF STATE  
AT WASHINGTON

Australia (1) . . . . .	February 16, 1934
Canada . . . . .	March 28, 1934
China (2) . . . . .	March 27, 1934
<b>India</b> . . . . .	March 21, 1934
Mexico. . . . .	March 26, 1934
Peru (1) . . . . .	April 24, 1934
Spain (2) . . . . .	April 24, 1934
United States (1) . . . . .	December 21, 1933

- (1) Notice of affirmative action accepted as an instrument of ratification (section 8).  
 (2) Notice of ratification (section 8). China and Spain deposited formal instruments of ratification on the 14th and 8th May, 1934, respectively. China ratified with the following reservation:—

“In ratifying this agreement the National Government of China declares that, as silver is the basic monetary standard of China, the National Government will consider itself at liberty to take whatever action it may seem appropriate if in its opinion changes in the relative values of gold and silver adversely affect the economic condition of the Chinese people contrary to the spirit of stabilising the price of silver as embodied in this agreement”.

DOMINION OF CANADA

TREATY SERIES, 1934

No. 5

EXCHANGE OF NOTES

(April 23 and May 2 and 4, 1934)

CONTINUING

THE ARRANGEMENT OF OCTOBER AND DECEMBER  
1928 AND JANUARY 1929, CONCERNING RADIO  
COMMUNICATIONS BETWEEN PRIVATE  
EXPERIMENTAL STATIONS AND  
BETWEEN AMATEUR  
STATIONS

BETWEEN

CANADA AND THE UNITED STATES  
OF AMERICA

IN FORCE MAY 4, 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935



# EXCHANGE OF NOTES

(April 23 and May 2 and 4, 1934)

CONTINUING

THE ARRANGEMENT OF OCTOBER AND DECEMBER  
1928, AND JANUARY 1929, CONCERNING RADIO  
COMMUNICATIONS BETWEEN PRIVATE  
EXPERIMENTAL STATIONS AND  
BETWEEN AMATEUR  
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BETWEEN

CANADA AND THE UNITED STATES  
OF AMERICA

IN FORCE MAY 4, 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935





EXCHANGE OF NOTES (APRIL 23 AND MAY 2 AND 4, 1934) CONTINUING THE ARRANGEMENT OF OCTOBER AND DECEMBER, 1928, AND JANUARY, 1929, CONCERNING RADIO COMMUNICATIONS BETWEEN PRIVATE EXPERIMENTAL STATIONS AND BETWEEN AMATEUR STATIONS BETWEEN CANADA AND THE UNITED STATES OF AMERICA

*The Minister of the United States of America at Ottawa to the Secretary of State for External Affairs of Canada.*

LEGATION OF THE UNITED STATES OF AMERICA

OTTAWA, CANADA, April 23, 1934.

No. 219

SIR,

Pursuant to the provisions in Article 6 of the General Regulations annexed to the International Radiotelegraph Convention signed at Washington on November 25, 1927, there was effected by an exchange of notes between the United States of America and the Dominion of Canada, dated October 2, 1928, December 29, 1928, and January 12, 1929, an arrangement governing radio communications between private experimental stations in the two countries.

The International Telecommunication Convention and the General Radio Regulations annexed thereto, signed at Madrid on December 9, 1932, will, when effective, abrogate and replace in the relations between the contracting governments the International Radiotelegraph Convention and the General Regulations of Washington, 1927.

I have the honor, therefore, for and in the name of my Government and by its direction, to propose that the above-mentioned arrangement governing radio communications between private experimental stations, effected by an exchange of notes, shall be deemed and understood by the two Governments to continue to apply to private experimental stations and to amateur radio stations, without change, under Sections 1 and 2 of Article 8 of the General Radio Regulations annexed to the International Telecommunication Convention of Madrid, 1932, when the said Convention and Regulations shall have been ratified by both Governments.

The Government of the United States will be pleased to consider the above-stated understanding to be effective on the date of the receipt of a note from the Government of the Dominion of Canada stating its acceptance of such understanding.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

WARREN D. ROBBINS

*The Secretary of State for External Affairs of Canada to the Minister of the United States of America at Ottawa.*

DEPARTMENT OF EXTERNAL AFFAIRS CANADA

OTTAWA, 2nd May, 1934.

No. 40

SIR,

I have the honour to acknowledge your note No. 219 of the 23rd April, 1934, relating to an arrangement effected by an exchange of notes between Canada and the United States of America, dated October 2, 1928, December 29, 1928, and January 12, 1929, governing radio communications between private experimental stations in the two countries.

It is noted that the International Telecommunication Convention and the General Radio Regulations annexed thereto, signed at Madrid on December 9, 1932, will, when effective, abrogate and replace in the relations between the contracting governments the International Radiotelegraph Convention and the General Regulations of Washington, 1927.

It is noted that it is proposed, for and in the name of the United States Government and by its direction, that the above-mentioned arrangement governing radio communications between private experimental stations, effected by an exchange of notes, shall be deemed and understood by the two Governments to continue to apply to private experimental stations and to amateur radio stations, without change, under Sections 1 and 2 of Article 8 of the General Radio Regulations annexed to the International Telecommunication Convention of Madrid, 1932, when the said Convention and Regulations shall have been ratified by both Governments.

It is also noted that the United States Government will consider the above-stated understanding to be effective on the date of the receipt of a note from the Canadian Government, stating its acceptance of such understanding.

I have the honour to state that the Canadian Government accept such understanding and will consider it effective on the date of the receipt of this note as stated in the preceding paragraph.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

O. D. SKELTON

*for the Secretary of State for External Affairs*

*The Minister of the United States of America at Ottawa to the Secretary of State for External Affairs of Canada.*

LEGATION OF THE UNITED STATES OF AMERICA

No. 226

OTTAWA, CANADA, May 4, 1934.

SIR,

I have the honor to acknowledge the receipt this morning of your note No. 40 of May 2, 1934, in which you convey your approval of an arrangement governing radio communications between private experimental stations in Canada and the United States. In accordance with the understanding reached in your note under acknowledgment and the Legation's note of April 23, 1934, the arrangement is considered to be effective as of to-day's date.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

WARREN D. ROBBINS

Dr. Doc  
Can  
Misc  
T

Treaties

DOMINION OF CANADA

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TREATY SERIES, 1934

No. 6

TRADE AGREEMENT

BETWEEN

CANADA AND NEW ZEALAND

---

Signed at Ottawa and Wellington April 23, 1932

IN FORCE MAY 24, 1932

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Extended in May and November, 1933, for six months and in  
May, 1934, for a period of one year



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935

Price, 25 cents





# TRADE AGREEMENT

BETWEEN

CANADA AND NEW ZEALAND

---

Signed at Ottawa and Wellington, April 23, 1932

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EXTENSION OF AGREEMENT



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935



## TRADE AGREEMENT BETWEEN CANADA AND NEW ZEALAND

Signed at Ottawa and Wellington April 23, 1932.

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In force May 24, 1932

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*See Treaty Series 1932, No. 2*

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This Agreement was extended for 6 months in May and November, 1933, and for a period of one year in May, 1934, by the following Orders in Council:

P.C. 1016, May 23, 1933. See *Canada Gazette Extra*, May 23, 1933.

P.C. 2283, November 1, 1933. See *Canada Gazette Extra*, November 4, 1933.

P.C. 978, May 10, 1934. See *Canada Gazette Extra*, May 11, 1934.



DOMINION OF CANADA

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TREATY SERIES, 1934

No. 7

CONVENTION

relating to

INTERNATIONAL EXHIBITIONS

WITH PROTOCOL OF SIGNATURE

Signed at Paris, November 22, 1928

Canadian ratification deposited May 22, 1934

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In force January 17, 1931

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IN FORCE FOR CANADA JUNE 22, 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935

*Price, 25 cents*





CONVENTION

relating to

INTERNATIONAL EXHIBITIONS

Paris, November 22nd, 1928

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OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1932



## Convention relating to International Exhibitions

*Paris, November 22, 1928*

(Translation.)

The undersigned, plenipotentiaries of the Governments hereinafter enumerated, having met in conference at Paris from November 12 to 22, 1928, have by common consent and subject to ratification, agreed as follows:—

### Section I.—*Definitions*

#### ARTICLE 1

The provisions of the present convention apply only to international exhibitions which are official or officially recognized.

The expression “official or officially recognized international exhibitions” shall be deemed to include every display, whatever its designation, to which foreign countries are invited through the diplomatic channel, which is not generally held periodically, of which the principal object is to demonstrate the progress of different countries in one or several branches of production, and in which, as regards admission, no distinction in principle is made between buyers and visitors.

The provisions of the said convention do not apply to the following:—

1. Exhibitions having a duration of less than three weeks;
2. Scientific exhibitions organized on the occasion of international congresses, provided that their duration does not exceed the period mentioned in 1;
3. Exhibitions of the fine arts;
4. Exhibitions organized by one country in another country on the invitation of the latter.

The contracting countries agree to withhold State patronage, subsidies, and the privileges provided for in Sections III, IV and V below, from international exhibitions to which the present convention applies, and which do not comply with the conditions therein provided.

#### ARTICLE 2

Any exhibition which includes the products of more than one branch of human activity, or which is organized with a view to demonstrating the progress achieved in the whole of a given sphere of activity (such as hygiene, applied arts, modern comfort, colonial development, etc.), shall be deemed to be a general exhibition.

Any exhibition which is concerned with only one applied science (electricity, optics, chemistry, etc.), one industry (textiles, founding, graphic arts, etc.), one raw material (leathers and skins, silk, nickel, etc.), or one elementary necessity (heating, food, transport, etc.), shall be deemed to be a special exhibition.

The International Bureau, provided for in article 10, shall draw up a classification of exhibitions to serve as a guide as to the trades and products which may, in accordance with the preceding paragraph, figure in a special exhibition. This classification may be revised annually.

## ARTICLE 3

The duration of any international exhibition should not exceed six months; provided always that the International Bureau may authorize, in the case of a general exhibition, a longer period which shall not in any circumstances exceed twelve months.

Section II.—*Frequency of Exhibitions*

## ARTICLE 4

The frequency of international exhibitions to which the present convention applies shall be governed by the following principles:—

All general exhibitions fall into one of the two following categories:—

First category: Those in which the countries invited to participate are obliged to construct national pavilions.

Second category: Those in which such countries are not so obliged.

In the same country not more than one general exhibition of the first category may be held during any period of fifteen years, and an interval of ten years must elapse between two general exhibitions of either category.

No contracting country may participate in any general exhibition of the first category, unless an interval of at least six years has elapsed since the last general exhibition of the first category. No contracting country shall participate in any general exhibition of the second category unless an interval of two years has elapsed since the last general exhibition, or an interval of four years if the exhibition in question is of the same kind as the preceding one.

The intervals laid down in the preceding paragraph shall apply without any distinction being made between exhibitions organized by contracting countries and non-contracting countries.

More than one special exhibition of the same kind may not be held at the same time on the territories of the contracting countries. An interval of five years must elapse between two special exhibitions of the same kind in the same country. Provided always that the International Bureau may, in exceptional circumstances, reduce the last-mentioned period to not less than three years when in the opinion of the Bureau such reduction is justified by the rapid development of any particular branch of production. The same reduction may be allowed in favour of exhibitions which, by an already established custom in certain countries, are held at intervals of less than five years.

At least three months' interval must elapse between two special exhibitions of a different kind held in the same country.

The intervals provided for in the present article shall be reckoned from the date of opening of the exhibition.

## ARTICLE 5

The contracting country on whose territory an exhibition to which the present convention applies is organized must, subject to article 8 below, address its invitations to foreign countries through the diplomatic channel:—

Three years in advance in the case of general exhibitions of the first category;

Two years in advance for general exhibitions of the second category;

One year in advance for special exhibitions.

No Government may itself organize or officially sponsor any participation in an international exhibition in respect of which an invitation as above provided has not been addressed to it.



## ARTICLE 6

If more countries than one should be in competition with each other for the right to hold an international exhibition in any period, such countries shall proceed to an exchange of views in order to determine which country shall obtain the right of so doing.

In the case of no agreement being arrived at, they shall refer the matter to the arbitration of the International Bureau, which shall take into account the considerations submitted on behalf of each country, and particularly any special reasons of an historic or sentimental character, the period which has elapsed since the last exhibition, and the number of displays already held by each of such countries.

## ARTICLE 7

If any exhibition of the character defined in article 1 should be held in a non-contracting country, the contracting countries, before accepting any invitation to such exhibition, shall refer the matter to the International Bureau for their opinion.

The contracting countries shall not participate in any such exhibition unless it offers the same guarantees as those required under the provisions of the present convention, or at any rate sufficient guarantees. In the case of an exhibition held by a contracting country synchronizing with one organized by a non-contracting country, the other contracting countries shall, in the absence of exceptional circumstances, give preference to the former.

## ARTICLE 8

Any country which proposes to hold an exhibition, to which the present convention applies, must, at least six months before the commencement of the intervals prescribed in article 5 for the issue of invitations, address to the International Bureau an application for the registration of the exhibition. Such application shall state the title of the exhibition and its duration, and shall be accompanied by the classification of exhibits, copies of the general regulations, the jury regulations, and all documents necessary to show the measures proposed to ensure the safety of persons and property, the protection of industrial property and copyright, and to satisfy the conditions prescribed below in Sections IV and V. The Bureau shall not register an exhibition unless such exhibition fulfils all the conditions required by the present convention.

No contracting country shall accept an invitation to participate in an exhibition to which the present convention applies unless the invitation states that registration has been accorded.

Always provided that, even if such an invitation is received, the contracting countries are entirely free to refrain from participation in an exhibition organized in conformity with the provisions of the present convention.

## ARTICLE 9

In the event of a country not proceeding with a projected exhibition for which registration has been obtained, the International Bureau shall decide the date when such country shall be allowed again to compete with other countries for the holding of another exhibition.

Section III.—*International Exhibitions Bureau*

## ARTICLE 10.

An International Exhibitions Bureau shall be set up which shall supervise the execution of this convention. This Bureau shall consist of an Administrative Council assisted by a Classification Committee and of a Director, whose appointment and duties shall be determined in the regulations provided for in the immediately following article.

The first meeting of the Administrative Council of the International Bureau shall be convened at Paris by the Government of the French Republic in the year following the coming into force of the convention. At this meeting the Council shall fix the seat of the International Bureau and elect the Director.

## ARTICLE 11

The Administrative Council shall be composed of members appointed by the contracting countries, each country having the right to appoint one to three members. The Council is authorized to admit in an advisory capacity two or three members of the International Chamber of Commerce elected for the purpose by that Chamber.

The Council shall give decisions on all questions which are referred to it under the provisions of the convention. The Council shall draw up and adopt regulations governing the organization and management of the International Bureau, and shall draw up the budget of receipts and expenses, and check and approve accounts.

## ARTICLE 12

Every country, whatever the number of its delegates, shall have one vote on the Council. Any country may entrust its representation to the delegation of another country which, in such case, shall have a number of votes equal to the number of countries which it represents. A quorum of two-thirds of the countries represented on the Council shall be required to give validity to its resolutions.

A majority of the votes cast shall suffice for resolutions except in the following cases:—

1. Adoption of regulations;
2. Increase of the budget;
3. Rejection of a request presented by a contracting country, or granting an application when several countries are competing;
4. Authorization of a general exhibition for a longer period than six months.

In these four cases a majority of two-thirds of the countries represented on the International Bureau is required.

## ARTICLE 13

The Classification Committee shall be composed of representatives nominated by the Governments of twelve contracting countries. One half of these twelve countries shall be chosen by the International Bureau; the other half shall be determined by a system of rotation which shall be laid down in the regulations of the Bureau. The committee may admit, in a consultative capacity, one or two members of the International Chamber of Commerce selected for the purpose by that Chamber.

This committee shall draw up for the approval of the Administrative Council a draft of the classification of exhibitions provided for in article 2, and of any modifications which may be made thereto. When questions arise as to the

application of the intervals provided for in article 4, the committee shall give an opinion as to whether an exhibition submitted for registration is special or general, and as to whether, notwithstanding its title and its classification, such exhibition is not of the same character as a preceding exhibition, or as a special exhibition which is being held at the same date.

#### ARTICLE 14

The budget of the Bureau shall be fixed provisionally at £4,000 sterling. The expenses of the Bureau shall be defrayed by the contracting countries, whose contributions shall be determined as follows: the contributions of countries which are members of the League of Nations shall be in the same proportions as the contributions which those countries make to the League of Nations. Except in the case of the budget being increased above the figure mentioned above, the contribution of the most highly assessed countries shall not exceed £500 sterling. A country which is not a member of the League of Nations shall designate a country which is a member of the League of Nations, whose economic resources it considers equivalent to its own, and shall pay the same contribution as that country.

In addition, the Administrative Council may authorize the levying of other fees in payment for services rendered to groups or to individuals.

#### Section IV.—*Obligations of an Inviting Country and of Participating Countries*

#### ARTICLE 15

Any Government which issues invitations to an international exhibition shall nominate a Government commissioner or delegate, authorized to represent it and to guarantee the fulfilment of its obligations towards the foreign participants. Such commissioner or delegate shall see that all necessary measures are taken for the material safety of the goods exhibited.

#### ARTICLE 16

The Governments of participating countries shall nominate commissioners or delegates to represent them and to be responsible for carrying out the regulations of the exhibition.

Such commissioners or delegates shall have the exclusive right of fixing the allocation or distribution of space between the exhibitors in their national pavilions and sections.

#### ARTICLE 17

In a general exhibition no charge may be made by the administration for space, covered or uncovered, which is provided for in the program of the exhibition and allotted to each participating country.

#### ARTICLE 18

In every exhibition to which the present convention applies, goods subject to customs duties and taxes forming part of foreign exhibits shall be admitted temporarily free of duty and tax on condition of being re-exported. Such goods shall be accompanied by a certificate from the consignor, which shall certify their number and character, the marks and numbers of the packages, and the commercial descriptions of the articles, their weight, origin and value. The goods shall be released from bond on the premises of the exhibition without



being submitted to customs examination at the frontier. The application of the preceding provisions shall be subject to the customs regulations of the country in which the exhibition is held.

When, under the legislation of the inviting country, security is required in order to obtain the temporary free admission referred to in the preceding paragraph, security given by the commissioner of each participating country on behalf of his exhibitors shall be accepted as a sufficient guarantee for the payment of customs duties and all other duties and taxes applicable to the goods exhibited which are not re-exported within the periods fixed after the close of the exhibition.

The provisions relating to temporary free admission shall not apply to stocks of goods which cannot be properly regarded as samples and are imported for the exclusive object of sale during the course of the exhibition.

Exhibits which have suffered total or partial destruction shall be exempt from duty provided:—

1. That the exhibitor produces evidence showing that the quantities missing or that the goods deteriorated have been utilized for the service of the exhibition, or cannot be sold owing to their perishable character;
2. That the customs tariff imposes no tax or import duty on deteriorated or unusable goods.

This exemption shall not apply to goods which have been consumed in the manner for which they are normally destined.

The evidence referred to in paragraph 4 shall be presented by the commissioner or delegate of the country to which the exhibitor belongs for the decision of the authorities of the country in which the exhibition is held.

In the application of the foregoing provisions, the following shall be regarded as goods intended for the exhibition:—

1. Materials for construction, even if imported in a raw state to be worked up after arrival in the country where the exhibition takes place;
2. Tools and transport material for the work of the exhibition;
3. Articles for the interior and exterior decoration of exhibitors' sites, stands and showcases;
4. Articles for decoration and furnishing of offices used by the commissioners or delegates of the participating countries, as well as office furniture intended for their use;
5. Goods or objects employed in the installation and working of machinery or apparatus exhibited;
6. Samples required by the juries for appraising and judging the exhibits, subject to the production of a certificate by the commissioner of the section indicating the nature and quality of the goods so consumed.

In addition, the following shall be exempted from duties:—

1. Official catalogues, pamphlets and posters, illustrated or otherwise, published by the countries participating in the exhibition;
2. Catalogues, pamphlets, posters and all other publications, illustrated or otherwise, distributed free of charge by the exhibitors of foreign products within the area and during the period of the exhibition.

The provisions of the present article do not apply to goods which, under the legislation of the country in which the exhibition is held, are the subject of a State monopoly, or the sale of which is prohibited or controlled by licence, save under conditions prescribed by the Government of that country. Nevertheless, the exhibition of such products shall be permitted subject to measures of control taken with a view to preventing their sale.

## ARTICLE 19

The regulations of every international exhibition shall include a provision giving to an exhibitor the right to withdraw his undertaking to participate in the event of the duties applicable to the goods of such exhibitor being increased subsequently to the date of his undertaking to participate.

## ARTICLE 20

At the close of an exhibition exhibitors shall be permitted, unless the legislation of the country where the exhibition takes place forbids it, to sell and deliver the samples exhibited. In this case he shall not be subjected to any taxes other than those he would have had to pay in the case of direct importation.

## ARTICLE 21

In an international exhibition no group or firm shall make use of any geographical description denoting a participating country, except with the authorization of the commissioner or delegate of that country.

In the case of contracting countries which are not participating in the exhibition, the use of such descriptions shall be prohibited by the administration of the exhibition at the request of the Governments interested.

## ARTICLE 22

Only those sections in an exhibition which are under the direction of a commissioner or of a delegate appointed as provided in articles 15 and 16 by the Government of the organizing or of a participating country shall be considered or may be described as national sections.

## ARTICLE 23

The national section of a country may contain only goods belonging to that country.

Nevertheless, subject to the authorization of the commissioner or delegate of the country concerned, articles belonging to another country may be included on condition that they are employed solely to complete an exhibit, that they shall have no influence on the granting of an award to the exhibit itself, and that they cannot, as so shown, themselves receive any award.

Products extracted from the ground, grown or manufactured in the territory of any country shall be deemed to belong to the industry and agriculture of such country.

## ARTICLE 24

Subject to provisions to the contrary in the legislation of the country in which it is held, in principle no monopolies of any kind should be granted in an exhibition. Nevertheless, the administration of the exhibition may, if it thinks necessary, grant the following monopolies: lighting, heating, customs clearance, upkeep, and publicity inside the exhibition. In this case the following conditions must be observed:—

1. The existence of such monopoly or monopolies must be shown in the regulations of the exhibition, and in the application form to be signed by exhibitors;
2. The services subject to monopoly must be made available to exhibitors under the conditions normally obtaining in the country;
3. No limitation must be imposed on the powers of the commissioners in their respective sections.



The commissioner of the organizing country shall take steps to ensure that the rates for labour charged to the participating countries shall not be higher than those charged to the administration of the organizing country.

#### ARTICLE 25

Each country where an international exhibition takes place shall tender its good offices with a view to obtaining from its railway, shipping and aviation authorities, public or private, transport facilities for goods intended for such exhibition.

#### ARTICLE 26

Each country shall take whatever measures appear to be appropriate under its own laws to proceed against the promoters of fictitious exhibitions, or of exhibitions to which exhibitors are fraudulently attracted by misleading promises, announcements or advertisements.

### Section V.—*Awards*

#### ARTICLE 27

The general regulations of the exhibition must indicate whether, independently of the certificates of participation which must always be accorded, awards will or will not be granted to exhibitors. In cases where awards are granted they may be limited to certain classes.

Before the opening of the exhibition, exhibitors, either in the general sections or in their national pavilions, who do not wish to receive awards, should make a declaration to that effect to the administration of the exhibition through the intermediary of their commissioners or delegates.

Members of the jury are necessarily debarred from receiving awards.

#### ARTICLE 28

Participation in an exhibition is either free or conditional.

Participation is free when all goods may be admitted to the exhibition provided that the exhibitor has made his application in due time and has fulfilled the general conditions governing such application.

Participation is conditional when the general regulations stipulate that the articles admitted to the exhibition must satisfy certain special stipulations, such as sound manufacture or originality.

In this event the regulations of the exhibition shall contain a clause, to which the invited countries can refer, indicating the procedure to be adopted by the organizing country for the admission of exhibits to its national section; each country retaining, however, the right of adapting such procedure in the manner that it deems most appropriate in its own case.

#### ARTICLE 29

The appraising and judging of the exhibits shall be entrusted to an international jury, set up in accordance with the following rules:—

1. Each country shall be represented on the jury in proportion to the part it takes in the exhibition, having regard particularly to the number of its exhibitors, not including collaborators and co-operators, and to the area which they occupy.

Each country shall have the right to at least one juror in every class in which its goods are exhibited, except in cases where the ad-

ministration of the exhibition and the commissioner or delegate of the country concerned are agreed that such representation is not justified by the extent of its participation in that class.

No country may have more than seven jurors in any one class; this limitation shall not, however, apply to the classes of food products, liquid and solid.

2. The functions of juror shall be assigned to persons having the necessary technical knowledge.
3. Jurors may not be appointed except with the approval of their Government.
4. The jury shall comprise three grades of jurisdiction.

#### ARTICLE 30

The awards shall be divided into five grades:—

1. Grands prix.
2. Diplomas of honour.
3. Gold medals.
4. Silver medals.
5. Bronze medals.

In addition, diplomas may be awarded, on the recommendation of exhibitors gaining awards or of members of the jury, to their collaborators and co-operators.

Persons appointed as members of the jury may describe themselves as such in all cases where exhibitors are authorized to mention their awards.

The description "hors concours" is henceforth prohibited both for members of the jury and for exhibitors who have abstained from competing for awards.

#### ARTICLE 31

The list of awards shall be registered at the International Bureau. The recipients of awards may only announce their awards on condition that such announcement includes the exact title of the exhibition. They shall be authorized to add to such announcement the monogram of the International Bureau. The International Exhibitions Bureau shall inform the International Industrial Property Bureau at Berne of the exhibitions registered, and shall send that Bureau the lists of awards.

#### ARTICLE 32

The International Bureau shall establish model regulations setting forth the general conditions for the composition and functioning of juries and determining the method of granting awards. The adoption of such regulations shall be recommended to organizing countries.

### Section VI.—*Final Provisions*

#### ARTICLE 33

The present convention shall be subject to ratification:—

- (a) Each Government, as soon as it is ready to take part in a deposit of ratifications, shall so notify the French Government. As soon as seven Governments shall have so declared themselves ready, the deposit of ratifications shall take place, on a day appointed by the French Government, within a month of the date of the receipt by that Government of the last notification.

- (b) The ratifications shall be deposited in the archives of the French Government.
- (c) The deposit of ratifications shall be verified by a *procès-verbal* signed by the representatives of the Governments taking part therein and by the Minister for Foreign Affairs of the French Republic.
- (d) The Governments of signatory countries which have not been ready to deposit their ratifications under the conditions set forth in paragraph (a) of the present article, may do so subsequently by means of a written notification addressed to the Government of the French Republic and accompanied by the instruments of ratification.
- (e) Certified copies of the *procès-verbal* of the first deposit of ratifications, and of the notifications referred to in the preceding paragraph, shall be immediately transmitted, through the intermediary of the French Government, by the diplomatic channel to the Governments which have signed the present convention or have acceded thereto. In the case of notifications received under the preceding paragraph, the French Government shall also state the dates on which they have been received.

#### ARTICLE 34

(a) The present convention applies *ipso facto* to the metropolitan territories only of the contracting countries.

(b) If a country desires the convention to apply to its colonies, protectorates, overseas territories and territories under suzerainty or mandate, a statement to that effect shall be included in its ratification, or form the subject of a notification addressed in writing to the French Government. Any such notification shall be deposited in the archives of the Government.

If the latter procedure is adopted, the French Government shall transmit to the Governments of signatory or acceding countries a certified copy of such notification, showing the date at which it was received.

(c) Exhibitions which include only the products of a metropolitan country and of its colonies, protectorates, overseas territories and territories under suzerainty or mandate shall be considered as national exhibitions, and, in consequence, not subject to the present convention, whether or not the convention may be in force in such territories.

#### ARTICLE 35

(a) At any time after the coming into force of the present convention any non-signatory country may accede thereto.

(b) Such accession may be effected by a notification in writing transmitted through the diplomatic channel to the French Government. Such notifications of accession shall be deposited in the archives of that Government.

(c) The French Government shall transmit immediately to the Governments of all signatory and acceding countries certified copies of any such notifications, showing the dates on which they were received.

#### ARTICLE 36

The present convention shall come into force, in respect of the countries which have taken part in the first deposit of ratifications, one month after the date of the *procès-verbal* thereof. In the case of countries which ratify subsequently or accede thereto, and in respect of colonies, protectorates, overseas territories and territories under suzerainty or mandate not included in ratifications, the convention shall take effect one month after the date of receipt of the notifications provided for in articles 33, paragraph (d); 34, paragraph (b); 35, paragraph (b).



## ARTICLE 37

The present convention shall not be capable of being denounced until a period of five years has elapsed since the date of its coming into force.

Thereafter notifications of denunciation may be addressed to the Government of the French Republic and shall take effect one year after the date of their receipt. Certified copies of such notifications, showing the date on which they were received, shall be immediately transmitted by the Government of the French Republic to the Governments of all countries which have signed or acceded to the present convention.

The provisions of the present article apply also to colonies, protectorates, overseas territories and territories under suzerainty or mandate.

## ARTICLE 38

If, by reason of denunciations, the number of contracting countries is reduced to less than seven, the Government of the French Republic shall immediately summon an international conference to consider what measures shall be taken.

## ARTICLE 39

The Government of the French Republic shall communicate to the International Bureau copies of all ratifications, accessions and denunciations.

## ARTICLE 40

The present convention shall remain open for signature at Paris until the 30th April, 1929.

In faith whereof the undermentioned plenipotentiaries have signed the present convention.

Done at Paris on the 22nd November, 1928, in one copy which shall be deposited in the archives of the Government of the French Republic, and of which certified copies shall be transmitted through the diplomatic channel to the Governments of all countries represented at the Conference of Paris.

For Albania:  
DR. STAVRO STAVRI.

For Germany:  
DR. PETER MATHIES.  
EMIL WIEHL.  
DR. HANNS HEIMAN.

For Australia:  
F. C. FARAKER.

For Austria:  
GRUNBERGER.

For Belgium:  
E. DE GAIFFIER.

For Brazil:  
F. GUIMARAES.

For Canada:  
PHILIPPE ROY.

For Colombia:  
JOSÉ DE LA VEGA.

For Cuba:  
HERNANDEZ PORTELA.

For Denmark:  
H. A. BERNHOFT.

For the Dominican Republic:  
DR. T. FRANCO FRANCO.

For Spain:  
CARLOS DE GOYENECHÉ.

For France:  
F. CHAPSAL.  
CHARMEIL.  
R. COULONDRE.  
J. LESOUFACHE.  
G. ROGER SANDOZ.  
BARON THÉNARD.

- |  |  |
|--|--|
| For Great Britain and Northern Ire-<br>land:<br>E. CROWE.<br>J. R. CAHILL.<br>H. W. G. COLE. | For Portugal:<br>A. DA GAMA OCHOA.   |
|  | For Roumania:<br>CONST. DIAMANDY.  |
| For Greece:<br>N. POLITIS.   | For Yugoslavia:<br>MILIVOJ PILYA.  |
| For Guatemala:<br>JOSÉ MATOS.  | For Sweden:<br>Subject to ratification by His Majesty the<br>King, with the approval of the Riksdag.<br>ALBERT EHRENSVARD.<br>JOSEPH SACHS.<br>S. BERJIUS. |
| For Hayti:<br>NEMOURS.   |  |
| For Hungary:<br>FRÉDÉRIC VILLANI.  |  |
| For Italy:<br>GIOVANNI BELLI.  | For Switzerland:<br>DUNANT.<br>DR. M. G. LIÉNERT.<br>GUSTAV BRANDT.  |
| For Japan:<br>H. KAWAI.  |  |
| For Morocco:<br>J. NACIVET.  | For Tunis:<br>H. GEOFFROY-SAINT-<br>HILAIRE  |
| For the Netherlands:<br>E. H. KRELAGE.   |  |
| For Peru:<br>M. H. CORNEJO.  | For the Union of Soviet Socialist<br>Republics:<br>M. TOUMANOFF.<br>G. LACHKEVITCH.<br>M. RAFALOFF.  |
| For Poland:<br>OTHON WECLAWOWICZ.  |  |



(Translation.)

## PROTOCOL OF SIGNATURE

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The undersigned plenipotentiaries are assembled on this day's date for the purpose of signing the convention relating to international exhibitions.

The Belgian delegation draws attention to the fact that the present convention does not apply to exhibitions for which invitations have already been issued, through the diplomatic channel, to foreign countries, and, in particular, to the International Exhibition to be organized at Brussels in 1935.

The delegations of the Governments of the United Kingdom of Great Britain and Northern Ireland, Canada, Australia, New Zealand and the Irish Free State declare that they do not interpret the Convention for the Regulation of International Exhibitions as applying to exhibitions held by one member of the British Commonwealth of Nations and limited as regards participation to the other members of the British Commonwealth of Nations.

At the moment of signing the Convention for the Regulation of International Exhibitions, the Italian delegation declares that it signs *ad referendum* and subject to further instructions from its Government, in particular with reference to the inclusion under the provisions of the convention of Scientific Exhibitions of more than three weeks' duration and held in connection with International Congresses.

At the moment of signing the protocol annexed to the Convention for the Regulation of International Exhibitions, the Italian delegation declares that it cannot accept the fourth recommendation set out therein, for the reason that Italy is not a party to the convention signed at Madrid on April 11, 1891, and revised at Washington on June 2, 1911, relating to the prevention of false marks of origin.

The Japanese delegation expresses the wish that any diplomatic invitation addressed by the country in which a special exhibition is organized may be sent to Japan at least one year and a half in advance, in view of the geographical situation of that country.

The delegation of the Union of Soviet Socialist Republics declares that, in the application of the provisions of article 4 of the convention, whereby an interval of at least five years must elapse between two special exhibitions of the same kind organized in the same country, the Government of the Union of Soviet Socialist Republics reserves the right to regard as separate countries the six Republics members of the Union, to wit, Russia, the Ukraine, the Trans-Caucasian Federation, White Russia, Turkmenistan and Uzbekistan.

In faith whereof the plenipotentiaries have signed the present protocol.

Done at Paris, the 22nd November, 1928.

For Albania:  
DR. STAVRO STAVRI.

For Germany:  
DR. PETER MATHIES.  
EMIL WIEHL.  
DR. HANNS HEIMAN.

For Australia:  
F. C. FARAKER.

For Belgium.  
E. DE GAIFFIER.

For Brazil:  
F. GUIMARAES.

For Canada:  
PHILIPPE ROY.

For Colombia:  
JOSÉ DE LA VEGA.

For Cuba:  
R. HERNANDEZ PORTELA.

For Denmark:  
H. A. BERNHOFT.

For the Dominican Republic:  
DR. T. FRANCO FRANCO.

For Spain:  
CARLOS DE GOYENECHE.

For France:  
F. CHAPSAL.  
CHARMEIL.  
R. COULONDRE.  
J. LESOUFACHE.  
G. ROGER SANDOZ.  
BARON THÉNARD.

For Great Britain and Northern  
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E. CROWE.  
J. R. CAHILL.  
H. W. G. COLE.

For Greece:  
N. POLITIS.

For Guatemala:  
JOSÉ MATOS.

For Hayti:  
NEMOURS.

For Hungary:  
FRÉDÉRIC VILLANI.

For Italy:  
GIOVANNI BELLI.

For Japan:  
H. KAWAI.

For Morocco:  
J. NACIVET.

For the Netherlands:  
E. H. KRELAGE.

For Peru:  
M. H. CORNEJO.

For Poland:

The Polish delegation, in signing the present convention, intimates that the Polish Government intends to organize a general international exhibition at Warsaw in 1943, and that it considers that this declaration is not inconsistent with the engagements undertaken in signing the convention.

OTHON WECLAWOWICZ.

For Portugal:  
A. DA GAMA OCHOA.

For Roumania:  
CONST. DIAMANDY.

For Yugoslavia:  
MILIVOJ PILYA.

For Sweden:

Subject to ratification by His Majesty the King, with the approval of the Riksdag.  
ALBERT EHRENSVARD.  
JOSEPH SACHS.  
S. BERJIUS.

For Switzerland:  
DUNANT.  
DR. M. G. LIÉNERT.  
GUSTAV BRANDT.

For Tunis:  
H. GEOFFROY-SAINT-HILAIRE.

For the Union of Soviet Socialist  
Republics:  
N. TOUMANOFF.  
G. LACHKEVITCH.  
M. RAFALOFF.

## CONVENTION RELATING TO INTERNATIONAL EXHIBITIONS

The following Ratifications have been deposited:

Albania.. . . .	17	December, 1930
France.. . . .	17	" 1930
Germany.. . . .	17	" 1930
Great Britain and Northern Ireland.. . . .	17	" 1930
Roumania.. . . .	17	" 1930
Spain.. . . .	17	" 1930
Sweden.. . . .	17	" 1930
Switzerland.. . . .	17	" 1930
Tunis.. . . .	17	" 1930
Morocco.. . . .	14	January, 1931
*Italy.. . . .	19	" 1931
Czechoslovakia.. . . .	9	" 1932
Portugal.. . . .	11	" 1932
Denmark.. . . .	26	March, 1932
Poland.. . . .	18	July, 1932
Netherlands.. . . .	24	December, 1932
Greece.. . . .	21	January, 1933
†Canada.. . . .	22	May, 1934
Australia.. . . .	30	January, 1935

\*The Ratification of Italy has been made with the following reservations:

- (1) It is understood that the provision contained in Article 34 (c) of the Convention according to which are considered national exhibitions, those which include only the products of a metropolitan country and of its colonies, protectorates, overseas territories and territories under suzerainty or mandate, has for sole object to establish that such exhibitions are not subject to the Convention and that, as a consequence, it affects in no way the international status of countries under protectorate or mandate as resulting from treaties, conventions and agreements in force.
- (2) Italy declares that the "Esposizione Triennale della Arti Decorative ed Industriali moderne di Monza," regulated by the Italian law of July 2, 1929, No. 1178, has the nature of a special exhibition and should, therefore, be considered and classified as such under the Convention relating to International Exhibitions.
- (3) Italy declares that she concurs in the fourth recommendation set out in the Protocol annexed to the Convention relating to exhibitions in the limits in which false indications of origin are forbidden by Italian legislation and international agreements.

†The ratification of Canada has been made with the following reservation:

The Government of Canada has ratified the present Convention with the reservation that it did not find itself bound by Article 18 to authorize in Canada the exhibition of products whose importation into Canada is forbidden for any reason whatever.



W. D. L.  
Can.  
Misc  
T

Treaty

DOMINION OF CANADA  
TREATY SERIES, 1934  
No. 8

INTERNATIONAL AGREEMENT  
RELATING TO  
STATISTICS OF CAUSES OF DEATH  
WITH PROTOCOL OF SIGNATURE

Signed at London June 19, 1934

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EFFECTIVE JUNE 19, 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935

Price, 25 cents





INTERNATIONAL AGREEMENT  
RELATING TO  
STATISTICS OF CAUSES OF DEATH  
WITH PROTOCOL OF SIGNATURE

Signed at London June 19, 1934

---

EFFECTIVE JUNE 19, 1934

---

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ARRANGEMENT INTERNATIONAL  
RELATIF AUX  
STATISTIQUES DES CAUSES DE DÉCÈS  
AVEC PROTOCOLE DE SIGNATURE

Signé à Londres le 19 juin 1934

---

EN VIGUEUR LE 19 JUIN 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935

# INTERNATIONAL AGREEMENT RELATING TO STATISTICS OF CAUSES OF DEATH, WITH PROTOCOL OF SIGNATURE

---

THE Governments of the Union of South Africa, the German Reich, the Commonwealth of Australia, the Federal State of Austria, Canada, the Republic of Chile, His Majesty the King of Egypt, the Spanish Republic, the Irish Free State, the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Hellenic Republic, the Kingdom of Hungary, His Majesty the King of Italy, the Republic of Latvia, the United States of Mexico, Her Majesty the Queen of the Netherlands, New Zealand, the Republic of Panama, the Republic of Paraguay, His Majesty the Shah of Persia, the Republic of Poland, the Czechoslovak Republic and the United States of Venezuela, recognizing the importance of ensuring as far as possible the uniformity and comparability of statistics of causes of death, the undersigned Plenipotentiaries, being duly authorized thereto, have agreed upon the following provisions:

## ARTICLE 1

Without prejudice to the provisions of the protocol of signature annexed hereto, the present agreement applies to the metropolitan territories of the Contracting Governments, and to any other territories to which it may have been extended under article 8.

## ARTICLE 2

1. Statistics of causes of death shall be compiled and published according to one uniform nomenclature, hereinafter referred to as the "minimum nomenclature." These statistics shall either follow strictly the minimum nomenclature, or, if they are given in greater detail, be so arranged that by suitable grouping they can be reduced to the minimum nomenclature, each serial number of these more detailed statistics showing after it in brackets the corresponding serial number in the minimum nomenclature.

2. The Contracting Governments agree to adopt as the first minimum nomenclature the "intermediate nomenclature" recommended at Paris on the 19th October, 1929, by the International Commission for the Decennial Revision of the International Nomenclature of Diseases.

## ARTICLE 3

Each Contracting Government undertakes to compile statistics of causes of death in accordance with the conditions laid down in article 2 from the 1st January following the date of its signature of or accession to the present agreement.

## ARTICLE 4

1. Modifications may, in accordance with the conditions laid down in this article, be made in the minimum nomenclature to take effect from the 1st January, 1940, or the 1st January in any subsequent tenth year (hereinafter called "revision dates"), but not otherwise.

2. For the purpose of revising the minimum nomenclature the Contracting Governments agree to take fully into account the reports of any International Commission which may be convened in the same manner and with the same objects as the International Commission of 1929 for the Decennial Revision of the International Nomenclature of Diseases.

3. In order to facilitate the operation of the preceding paragraph the French Government shall, at the end of each session of the International Commission, call a conference of the delegations who have represented on that Commission the Governments which are parties to the present agreement. This Conference shall consider the resolutions of the Commission.

## ARRANGEMENT INTERNATIONAL RELATIF AUX STATISTIQUES DES CAUSES DE DÉCÈS AVEC PROTOCOLE DE SIGNATURE

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Les Gouvernements de l'Union de l'Afrique du Sud, du Reich allemand, du Commonwealth d'Australie de l'Etat fédéral d'Autriche, du Canada, de la République de Chili, de Sa Majesté le Roi d'Egypte, de la République espagnole, de l'Etat libre d'Irlande, des Etats-Unis d'Amérique, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, de la République hellénique, du Royaume de Hongrie, de Sa Majesté le Roi d'Italie, de la République de Lettonie, des Etats-Unis de Mexique, de Sa Majesté la Reine des Pays-Bas, de Nouvelle-Zélande, de la République de Panama, de la République de Paraguay, de Sa Majesté le Chah de Perse, de la République de Pologne, de la République tchécoslovaque, et des Etats-Unis de Venezuela, reconnaissant l'intérêt qu'il y a à assurer autant que possible l'uniformité et la comparabilité des statistiques des causes de décès, leurs Plénipotentiaires soussignés, dûment autorisés à cet effet, sont convenus des dispositions ci-après:

### ARTICLE PREMIER

Sous réserve des dispositions du protocole de signature qui y est annexé, le présent arrangement s'applique aux territoires métropolitains des Gouvernements contractants et à tous autres territoires auxquels il pourra être étendu en vertu de l'article 8.

### ARTICLE 2

1. Les statistiques des causes de décès seront établies et publiées d'après une seule et même nomenclature, appelée ci-après "nomenclature de base." Ces statistiques devront, soit être rigoureusement conformes à la nomenclature de base, soit, si elles sont présentées sous une forme plus détaillée, être ordonnées de telle manière qu'elles puissent être ramenées par voie de groupement à la nomenclature de base, chaque numéro d'ordre de ces statistiques plus détaillées étant suivi de l'indication entre parenthèses du numéro correspondant de la nomenclature de base.

2. Les Gouvernements contractants conviennent d'adopter comme première nomenclature de base la "nomenclature intermédiaire," proposée à Paris le 19 octobre 1929 par la Commission internationale pour la Revision décennale des Nomenclatures nosologiques.

### ARTICLE 3

Chacun des Gouvernements contractants s'engage à établir les statistiques des causes de décès dans les conditions fixées à l'article 2 à partir du 1<sup>er</sup> janvier suivant la date à laquelle il aura signé le présent arrangement ou y aura adhéré.

### ARTICLE 4

1. Des modifications pourront, dans les conditions fixées au présent article, être apportées à la nomenclature de base pour prendre effet à partir du 1<sup>er</sup> janvier 1940, ou du 1<sup>er</sup> janvier de toute dixième année subséquente (dates appelées ci-après "dates de revision"), mais non autrement.

2. En vue de reviser la nomenclature de base, les Gouvernements contractants conviennent de tenir pleinement compte des rapports de toute Commission internationale qui serait réunie de la même manière et aux mêmes effets que la Commission internationale de 1929 pour la Revision décennale des Nomenclatures nosologiques.

3. Pour faciliter l'application du paragraphe précédent, le Gouvernement français réunira en conférence, à l'issue de chacune des sessions de la Commission internationale, les délégations ayant représenté à cette Commission les Gouvernements participant au présent arrangement. Cette conférence examinera les résolutions de la Commission.

4. Each Contracting Government shall have the right to demand the revision of the minimum nomenclature in force. The request shall be addressed to the French Government, which will thereupon convene a conference of the Contracting Governments to consider the recommendations and to draft the modifications.

5. Modifications of the minimum nomenclature which have been adopted at least one clear year before the next ensuing revision date at a conference convened under the preceding paragraph by a majority of not less than four-fifths of the delegates of the Contracting Governments shall take effect as from such revision date. In respect of each Contracting Government the minimum nomenclature thus modified shall replace the minimum nomenclature hitherto in force in accordance with the provisions of the agreement as from the revision date, or, if the Contracting Government so decides, as from the 1st January next following the revision date.

#### ARTICLE 5

Contracting Governments wishing to secure the compilation of statistics in greater detail than those given in the minimum nomenclature may enter into a mutual agreement in order to increase as far as possible the comparability of statistics, provided that such an agreement shall not infringe the provisions of article 2 of the present agreement.

#### ARTICLE 6

1. The present agreement shall bear this day's date, and shall come into force immediately.

2. The Government of any country on whose behalf the present agreement has not been signed may accede thereto at any time by means of a notification in writing addressed through the diplomatic channel to the Government of the United Kingdom of Great Britain and Northern Ireland, and every accession shall take effect as from the date of the receipt of the notification thereof.

3. The Government of the United Kingdom of Great Britain and Northern Ireland shall notify all the other Contracting Governments of each notification of accession received.

#### ARTICLE 7

The present agreement may be denounced by a notification in writing addressed through the diplomatic channel to the Government of the United Kingdom of Great Britain and Northern Ireland at any time within six months from the date of the final meeting of any of the conferences referred to in article 4. Each denunciation shall take effect as from the date of the receipt of the notification thereof. The Government of the United Kingdom shall communicate to the other Contracting Governments copies of all notifications of denunciation received.

#### ARTICLE 8

1. Any Contracting Government may, at the time of signature or accession or thereafter, by a declaration in writing addressed to the Government of the United Kingdom of Great Britain and Northern Ireland, declare its desire that the present agreement should apply to all or any of its colonies, oversea territories, protectorates, or territories under suzerainty or mandate, and the present agreement shall apply to all the territories mentioned in such declaration as from the date of the receipt thereof.



4. Chaque Gouvernement contractant aura le droit de demander la revision de la nomenclature de base en vigueur. La demande sera adressée au Gouvernement français, qui convoquera en conférence les Gouvernements contractants pour procéder à l'examen des propositions et à la rédaction des modifications.

5. Les modifications à la nomenclature de base qui seront adoptées au moins une année entière avant la date de revision la plus proche à une conférence réunie en vertu du paragraphe précédent par une majorité d'au moins les quatre cinquièmes des délégués des Gouvernements contractants, prendront effet à partir de la date de revision en question. Pour chaque Gouvernement contractant, la nomenclature de base ainsi modifiée remplacera la nomenclature de base en vigueur jusqu'alors, conformément aux dispositions de l'arrangement, à partir de la date de la revision ou, si le Gouvernement contractant en décide ainsi, à partir du 1<sup>er</sup> janvier qui suivra immédiatement la date de revision.

#### ARTICLE 5

Les Gouvernements contractants qui désireront assurer l'établissement de statistiques plus détaillées que celles qui figurent dans la nomenclature de base pourront conclure entre elles un arrangement en vue d'augmenter, autant que possible, la comparabilité des statistiques, pourvu cet arrangement ne porte pas atteinte aux dispositions de l'article 2 du présent arrangement.

#### ARTICLE 6

1. Le présent arrangement portera la date de ce jour et entrera en vigueur immédiatement.

2. Le Gouvernement de tout pays au nom duquel le présent arrangement n'aura pas été signé pourra y accéder, en tout temps, au moyen d'une notification par écrit adressée par la voie diplomatique au Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et toute accession prendra effet à partir de la date de la réception de la notification.

3. Le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord avisera tous les autres Gouvernements contractants de chaque notification d'accession qu'il aura reçue.

#### ARTICLE 7

Le présent arrangement pourra être dénoncé par une notification par écrit adressée par la voie diplomatique au Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord à tout moment, dans un délai de six mois à partir de la date de la réunion finale de l'une quelconque des conférences mentionnées à l'article 4. Toute dénonciation prendra effet à partir de la date de la réception de la notification. Le Gouvernement du Royaume-Uni fera tenir aux autres Gouvernements contractants des copies de tous les avis de dénonciation qu'il aura reçus.

#### ARTICLE 8

1. Tout Gouvernement contractant pourra, au moment de sa signature ou de son accession ou dans la suite, par une déclaration écrite adressée au Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, faire connaître son désir que le présent arrangement s'applique à la totalité ou à l'un quelconque de ses colonies, territoires d'outre-mer, protectorats, ou territoires sous suzeraineté ou mandat, et le présent arrangement s'appliquera à tous les territoires mentionnés dans cette déclaration à partir de la date de la réception de celle-ci.

2. Any Contracting Government may, at any time within six months from the date of the final meeting of any of the conferences referred to in article 4, express its desire by a notification in writing addressed to the Government of the United Kingdom of Great Britain and Northern Ireland that the present agreement shall cease to apply to all or any of its colonies, oversea territories, protectorates, or territories under suzerainty or mandate, to which the agreement shall have been applied under the preceding paragraph, and in such case the present agreement shall cease to apply, as from the date of the receipt of the notification, to all the territories mentioned therein.

3. The Government of the United Kingdom shall inform the other Contracting Governments of all declarations or notifications received under the preceding paragraphs of this article.

In faith thereof the undersigned Plenipotentiaries have signed the present agreement.

Done at London this nineteenth day of June, 1934, in English and French texts, both being equally authentic.

For the Government of the Union of South Africa:

C. T. TE WATER.

For the Government of the German Reich:

HOESCH.

For the Government of the Commonwealth of Australia:

S. M. BRUCE.

For the Government of the Federal State of Austria:

For the Government of Canada:

G. H. FERGUSON.

For the Government of the Republic of Chile:

J. E. TOCORNAL.

For the Government of His Majesty the King of Egypt:

A. W. DAWOOD.

For the Government of the Spanish Republic:

RAMÓN PÉREZ DE AYALA.

For the Government of the Irish Free State:

J. W. DULANTY.

For the Government of the United States of America:

ROBERT W. BINGHAM.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

JOHN SIMON.

For the Government of the Hellenic Republic:

D. CACLAMANOS.

For the Government of the Kingdom of Hungary:

SZECHENYI.

2. Tout Gouvernement contractant pourra, en tout temps, dans un délai de six mois à partir de la date de la réunion finale de l'une quelconque des conférences mentionnées à l'article 4, exprimer par une notification écrite adressée au Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord son désir que le présent arrangement cesse de s'appliquer à la totalité ou l'un quelconque de ses colonies, territoires, d'outre-mer, protectorats, ou territoires sous suzeraineté ou mandat, auxquels l'arrangement se sera appliqué en vertu du paragraphe précédent, et, dans ce cas, le présent arrangement cessera de s'appliquer, à partir de la date de la réception de la notification, à tous les territoires qui y seront mentionnés.

3. Le Gouvernement du Royaume-Uni avisera les autres Gouvernements contractants de toutes les déclarations ou notifications reçues en vertu des paragraphes précédents de cet article.

En foi de quoi les Plénipotentiaires soussignés ont signé le présent arrangement.

Fait à Londres, le dix-neuf juin 1934, en texte français et anglais, les deux textes étant également authentiques.

Pour le Gouvernement de l'Union de l'Afrique du Sud:

C. T. TE WATER.

Pour le Gouvernement du Reich allemand:

HOESCH.

Pour le Gouvernement du Commonwealth d'Australie:

S. M. BRUCE.

Pour le Gouvernement de l'Etat fédéral d'Autriche:

Pour le Gouvernement du Canada:

G. H. FERGUSON.

Pour le Gouvernement de la République de Chili:

J. E. TOCORNAL.

Pour le Gouvernement de Sa Majesté le Roi Egypte:

A. W. DAWOOD.

Pour le Gouvernement de la République espagnole:

RAMÓN PÉREZ DE AYALA.

Pour le Gouvernement de l'Etat libre d'Irlande:

J. W. DULANTY.

Pour le Gouvernement des Etats-Unis d'Amérique:

ROBERT W. BINGHAM.

Pour le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord:

JOHN SIMON.

Pour le Gouvernement de la République hellénique:

D. CACLAMANOS.

Pour le Gouvernement du Royaume de Hongrie:

SZECHENYI.

For the Government of His Majesty the King of Italy:  
DINO GRANDI.

For the Government of the Republic of Latvia:  
CH. ZARINE.

For the Government of the United States of Mexico:  
J. SÁNCHEZ MEJORADA.

For the Government of Her Majesty the Queen of the Netherlands:  
R. DE MAREES VAN SWINDEREN.

For the Government of New Zealand:  
C. J. PARR.

For the Government of the Republic of Panamá:

For the Government of the Republic of Paraguay:  
R. ESPINOZA.

For the Government of His Majesty the Shah of Persia:  
M. K. SCHAYESTEH.

For the Government of the Republic of Poland:  
SKIRMUNT.

For the Government of the Czechoslovak Republic:  
JAN MASARYK.

For the Government of the United States of Venezuela:  
DIÓGENES ESCALANTE.

Pour le Gouvernement de Sa Majesté le Roi d'Italie:  
DINO GRANDI.

Pour le Gouvernement de la République de Lettonie:  
CH. ZARINE.

Pour le Gouvernement des Etats-Unis de Mexique:  
J. SÁNCHEZ MEJORADA.

Pour le Gouvernement de Sa Majesté la Reine des Pays-Bas:  
R. DE MAREES VAN SWINDEREN.

Pour le Gouvernement de Nouvelle-Zélande:  
C. J. PARR.

Pour le Gouvernement de la République de Panama.

Pour le Gouvernement de la République de Paraguay:  
R. ESPINOZA.

Pour le Gouvernement de Sa Majesté le Chah de Perse:  
M. K. SCHAYESTEHI.

Pour le Gouvernement de la République de Pologne:  
SKIRMUNT.

Pour le Gouvernement de la République tchécoslovaque:  
JAN MASARYK.

Pour le Gouvernement des Etats-Unis de Venezuela:  
DIÓGENES ESCALANTE.



## PROTOCOL OF SIGNATURE

At the moment of signing the agreement of this day's date on statistics of causes of death, the undersigned Plenipotentiaries, being duly authorized thereto, declare that they have agreed as follows:—

1. The under-mentioned Contracting Governments, who are not in a position to compile and publish central statistics for the whole of their metropolitan territory, hereby limit their acceptance of the obligations of the said agreement to the following portions of their metropolitan territory:—

The Governments of the Union of South Africa—

(a) Urban areas;

(b) Non-urban areas to which Act No. 17 of 1923 applies.

The Government of His Majesty the King of Egypt—

### LOCALITIES

(Health Inspectorates)

#### *Governorates*

Cairo—

Abdin.  
Bab-el-Sha'riya.  
Bûlaq.  
El Darb-el-Ahmar.  
El Ezbekiya.  
El Gamâliya.  
Helwan.  
El Khalifa.  
El Musky.  
Old Cairo.  
El Saiyeda-Zeinab.  
Shubra.  
El Wayli—  
    El Abbasiya.  
    Heliopolis.  
    El Zaytûn.

Alexandria—

El Attarin.  
El Gumruk.  
Karmûs.  
El Labban.  
El Manshiya.  
Mina-el-Basal.  
El Hadra.  
Muharram Bey.  
El Raml.

#### *Governorates—(contd.).*

Canal—

Ismailia (town).  
Port Fouad.  
Port Said (town).  
Damietta.  
Suez.

#### *Lower Egypt*

Beheira Province—

Abu El Matâmir-el-Qibliya.  
Abu Hummus.  
Damanhûr (chief town).  
El Dilingât.  
Ezab Difshu.  
Ityâi-el-Bârûd.  
Kafr Dâwûd.  
Kafr-el-Dauwâr.  
Kôm Hamâda.  
El Mahmûdiya.  
El Montazah.  
Rosetta.  
Shubrâkhît.

Daqahliya Province—

Aga.  
Dikirmis.  
Fâriskûr.  
El Kurdi.  
Mahallet Anshaq.

## PROTOCOLE DE SIGNATURE

Au moment de signer l'arrangement en date de ce jour sur les statistiques des causes de décès, les Plénipotentiaires soussignés, dûment autorisés à cet effet, déclarent qu'ils sont convenus de ce qui suit:

1. Les Gouvernements contractants mentionnés ci-dessous, qui ne sont pas à même d'établir et de publier des statistiques centralisées pour l'ensemble de leur territoire métropolitain, limitent par les présentes leur acceptation des obligations dudit arrangement aux portions suivantes de leur territoire métropolitain:

Le Gouvernement de l'Union de l'Afrique du Sud—

(a) régions urbaines;

(b) régions non-urbaines auxquelles s'applique l'Acte No. 17 de 1923.

Le Gouvernement de Sa Majesté le Roi d'Egypte—

### LOCALITÉS

(Inspectorats de Santé)

#### *Gouvernorats*

Le Caire—

Abdin.

Bab-el-Sha'riya.

Bûlaq.

El Darb-el-Ahmar.

El Ezbekiya.

El Gamâliya.

Helwan.

El Khalifa.

El Musky.

Vieux Caire.

El Saiyeda-Zeinab.

Shubra.

El Wayli.

El Abbasiya.

Heliopolis.

El Zaytûn.

Alexandrie—

El Attarin.

El Gumruk.

Karmûs.

El Labban.

El Manshiya.

Mina-el-Basal.

El Hadra.

Muharram Bey.

El Raml.

#### *Gouvernorats—(suite).*

Canal—

Ismailia (ville).

Port-Fouad.

Port-Said (ville).

Damiette.

Suez.

#### *Basse-Egypte*

Beheira Province—

Abu El Matâmir-el-Qibliya.

Abu Hummus.

Damanhûr (chef-lieu).

El Dilingât.

Ezab Difshu.

Ityâi-el-Bârûd.

Kafr Dâwûd.

Kafr-el-Dauwâr.

Kôm Hamâda.

El Mahmûdiya.

El Montazah.

Rosetta.

Shubrâkhîr.

Daqahliya Province—

Aga.

Dikrnis.

Fâriskûr.

El Kurdi.

Mahallet Anshaq.

*Lower Egypt—(contd.).*Daqahliya Province (*contd.*)—

El Mansûra (chief town).  
 El Manzala.  
 El Matariya.  
 Mit Abu Khâlid.  
 Mit-el-'Amil.  
 Mit Ghamr.  
 El Simbillâwein.  
 Timai-el-Amdid.

## Gharbiya Province—

Abu Mandûr.  
 Baltim.  
 Basyûn.  
 Bilqâs.  
 Disûq.  
 Fuwa.  
 Kafr-el-Sheikh.  
 Kafr-el-Zaiyât.  
 El Mahalla-el-Kubra.  
 Motobus.  
 Qallîn.  
 Qutûr.  
 Samannûd.  
 El Santa.  
 Shîrbîn.  
 Talkha.  
 Tanta (chief town).  
 Zifta.

## Minufiya Province—

Ashmûn.  
 El Bâgûr.  
 El Batanoun.  
 Istana.  
 Kafr Rabi'.  
 Minûf.  
 Shatânûf.  
 Shibin-el-Kom (chief town).  
 El Shuhada and Sirsina.  
 Tala.

## Qalyubiya Province—

El 'Amâr-el-Kubra.  
 Benha (chief town).  
 El Khânka.  
 Qalyûb.  
 El Qanâter-el-Khairiya.  
 Sindbîs.  
 Shibîn-el-Qanâtir.  
 Shubra-el-Kheima.  
 Tûkh.

## Sharqiya Province—

Abou Hammad.  
 Abou Kebir.  
 Belbeis.

*Lower Egypt—(contd.).*Sharqiya Province (*contd.*)—

Fâqûs.  
 Gezîret Seoûdi.  
 Hihya.  
 Kafr Saqr.  
 Mashtûl-el-Sûq.  
 Minyet-el-Qamh.  
 El Salhiya.  
 El Sanâfin.  
 Tal Rak.  
 Zagazig (chief town).

*Upper Egypt*

## Aswan Province—

El Alaqi.  
 Aswân (chief town).  
 Edfu.  
 Kôm Ombo.  
 El Redissiya Bahari.  
 Ahiba.

## Asyut Province—

Abnûb.  
 Abu Tig.  
 Asyût (chief town).  
 El Badâri.  
 Dairût-el-Mahatta.  
 Deir Mawâs.  
 Mallawi.  
 Manfalût.  
 El Motea.  
 El Qûsiya.  
 El Roda.  
 Sidfa.

## Beni-Suef Province—

Abu Sîr-el-Malaq.  
 Beni-Suef (chief town).  
 Biba.  
 Ihnassia-el-Madina.  
 El Shantûr.  
 El Wasta.

## Faiyûm Province—

El Faiyûm (chief town).  
 Ibshawâi.  
 Itsa.  
 El Nazla.  
 Sinnûris.  
 Tâmia.

## Girga Province—

Akhmîm.  
 Awlad Hamza.  
 El Balyana.  
 Girga.  
 El Khiyâm.

*Basse-Egypte—(suite).*Daqahliya Province (*suite*)—

El Mansûra (chef-lieu).  
 El Manzala.  
 El Matariya.  
 Mit Abu Khâlid.  
 Mit-el-'Amil.  
 Mit Ghamr.  
 El Simbillâwein.  
 Timai-el-Amdid.

## Gharbiya Province—

Abu Mandûr.  
 Baltim.  
 Basyûn.  
 Bilqâs.  
 Disûq.  
 Fuwa.  
 Kafr-el-Sheikh.  
 Kafr-el-Zaiyât.  
 El Mahalla-el-Kubra.  
 Motobus.  
 Qallîn.  
 Qutûr.  
 Samannûd.  
 El Santa.  
 Shirbîn.  
 Talkha.  
 Tanta (chef-lieu).  
 Zifta.

## Minufiya Province—

Ashmûn.  
 El Bâgûr.  
 El Batanoun.  
 Istanha.  
 Kafr Rabi'.  
 Minûf.  
 Shatânûf.  
 Shibin-el-Kom (chef-lieu).  
 El Shuhada et Sirsina.  
 Tala.

## Qalyubiya Province—

El 'Amâr-el-Kubra.  
 Benha (chef lieu).  
 El Khânka.  
 Qalyûb.  
 El Qanâter-el-Khairiya.  
 Sindbis.  
 Shibîn-el-Qanâtir.  
 Shubra-el-Kheima.  
 Tûkh.

## Sharqiya Province—

Abou Hammad.  
 Abou Kebir.  
 Belbeis.

*Basse-Egypte—(suite).*Sharqiya Province (*suite*)—

Fâqûs.  
 Gezîret Seoûdi.  
 Hihya.  
 Kafr Saqr.  
 Mashtûl-el-Sûq.  
 Minyet-el-Qamh.  
 El Salhiya.  
 El Sanâfin.  
 Tal Rak.  
 Zagazig (chef-lieu).

*Haute-Egypte*

## Aswan Province—

El Alaqi.  
 Aswân (chef-lieu).  
 Edfu.  
 Kôm Ombo.  
 El Redissiya Bahari.  
 Ahiba.

## Asyut Province—

Abnûb.  
 Abu Tig.  
 Asyût (chef-lieu).  
 El Badâri.  
 Dairût-el-Mahatta.  
 Deir Mawâs.  
 Mallawi.  
 Manfalût.  
 El Motea.  
 El Qûsiya.  
 El Roda.  
 Sidfa.

## Beni-Suef Province—

Abu Sir-el-Malaq.  
 Beni-Suef (chef-lieu).  
 Biba.  
 Ihnassia-el-Madina.  
 El Shantûr.  
 El Wasta.

## Faiyûm Province—

El Faiyûm (chef-lieu).  
 Ibshawâi.  
 Itsa.  
 El Nazla.  
 Sinnûris.  
 Tâmia.

## Girga Province—

Akhmîm.  
 Awlad Hamza.  
 El Balyana.  
 Girga.  
 El Khiyâm.

*Upper Egypt—(contd.).*Girga Province (*contd.*)—

El Manshâh.  
 El Marâgha.  
 Nazlet 'Imara.  
 Sohâg (chief town).  
 Tahua.  
 Tima.

## Giza Province—

El Aiyat.  
 El Giza (chief town).  
 El Hawamdia.  
 Imbâba.  
 Mazghouna.  
 Osim.  
 El Saff.  
 Sôal.

## Minya Province—

Beni Mazâr.  
 El Fant.  
 El Fashn.  
 El Fikrîya.

*Upper Egypt—(contd.).*Minya Province (*contd.*)—

El 'Idwa.  
 Maghâgha.  
 Minshât Matâi.  
 El Minya (chief town).  
 Samâlût.

## Qena Province—

Abu Shûsha.  
 Armant-el-Wabûrât.  
 El Deir.  
 Dishna.  
 Farshût.  
 Isna.  
 Luxor.  
 Nag' Hammâdi.  
 Naqâda.  
 Qaft.  
 Qena (chief town).  
 Qûs.  
 El Waqf.

## The Government of New Zealand—

North Island and adjacent islets;  
 South Island and adjacent islets;  
 Stewart Island and adjacent islets;  
 Chatham Islands.

2. The above-mentioned Contracting Governments may, at any time while the present agreement is in force, extend the application of the said agreement to any portions of their metropolitan territories other than those to which the agreement is already applicable under the preceding paragraph by a notification addressed to the Government of the United Kingdom through the diplomatic channel.

3. The Government of the United Kingdom of Great Britain and Northern Ireland shall transmit to all the other Contracting Governments copies of all notifications received under the preceding paragraph.

Done at London this nineteenth day of June, 1934, in English and French texts, both texts being equally authentic.

[Here follow signatures as on page 6.]



*Haute-Egypte—(suite).*Girga Province (*suite*)—

El Manshâh.  
 El Marâgha.  
 Nazlet 'Imara.  
 Sohâg (chef-lieu).  
 Tahua.  
 Tima.

## Giza Province—

El Aiyat.  
 El Giza (chef-lieu).  
 El Hawamdia.  
 Imbâba.  
 Mazghouna.  
 Osim.  
 El Saff.  
 Sôal.

## Minya Province—

Beni Mazâr.  
 El Fant.  
 El Fashn.  
 El Fikrîya.

*Haute-Egypte—(suite).*Minya Province (*suite*)—

El 'Idwa.  
 Maghâgha.  
 Minshât Matâi.  
 El Minya (chef-lieu).  
 Samâlût.

## Qena Province—

Abu Shûsha.  
 Armant--el-Wabûrât.  
 El Deir.  
 Dishna.  
 Farshût.  
 Isna.  
 Luxor.  
 Nag' Hammâdi.  
 Naqâda.  
 Qaft.  
 Qena (chef-lieu).  
 Qûs.  
 El Waqf.

## Le Gouvernement de Nouvelle-Zélande—

North Island et les îlots voisins;  
 South Island et les îlots voisins;  
 Stewart Island et les îlots voisins;  
 Chatham Islands.

2. Les Gouvernements contractants susmentionnés pourront en tout temps pendant que le présent arrangement sera en vigueur étendre l'application dudit arrangement à toutes portions de leurs territoires métropolitains autres que celles auxquelles l'arrangement est déjà applicable, en vertu du paragraphe précédent, par une notification adressée au Gouvernement du Royaume-Uni par la voie diplomatique.

3. Le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord transmettra à tous les autres Gouvernements contractants des copies de toutes les notifications qu'il recevra en vertu du paragraphe précédent.

Fait à Londres, le dix-neuf juin 1934, en texte français et anglais, les deux textes étant également authentiques.

(Suivent les signatures qui sont les mêmes que celles de la page 7.)



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Treaties



DOMINION OF CANADA

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TREATY SERIES, 1934

No. 9

EXCHANGE OF NOTES

(May 21, June 2, July 12 and 20, 1934)

PROLONGING FOR ONE YEAR AND MODIFYING  
THE AGREEMENT OF SEPTEMBER 15-16,  
1932, CONCERNING FLIGHTS OF  
MILITARY AIRCRAFT

BETWEEN

CANADA AND THE UNITED STATES  
OF AMERICA

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The Agreement of September 15-16, 1932, was extended in June 1933  
until June 30th, 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935

Price, 25 cents



# EXCHANGE OF NOTES

(May 21, June 2, July 12 and 20, 1934)

PROLONGING FOR ONE YEAR AND MODIFYING  
THE AGREEMENT OF SEPTEMBER 15-16,  
1932, CONCERNING FLIGHTS OF  
MILITARY AIRCRAFT

BETWEEN

CANADA AND THE UNITED STATES  
OF AMERICA



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935





EXCHANGE OF NOTES (MAY 21, JUNE 2, JULY 12 AND 20, 1934)  
PROLONGING FOR ONE YEAR THE AGREEMENT OF  
SEPTEMBER 15/16, 1932, CONCERNING FLIGHTS OF MILI-  
TARY AIRCRAFT BETWEEN CANADA AND THE UNITED  
STATES OF AMERICA

*The Minister of the United States of America at Ottawa to the Secretary of  
State for External Affairs of Canada.*

LEGATION OF THE UNITED STATES OF AMERICA

OTTAWA, Canada, May 21, 1934.

No. 239

SIR,

I have the honor to inform you that I have been authorized by my Government to extend for a period of one year beginning July 1, 1934, the agreement concluded by our two Governments in September, 1932, whereby permission was granted, under certain conditions, for military aircraft of either government to fly over specified portions of the territory of the other.

I should therefore appreciate being informed whether the Canadian Government will be disposed to agree to the extension of this agreement for the period specified and, if so, whether this note will be considered by the Canadian Government as sufficient confirmation of the extension of the agreement by the Government of the United States.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

WARREN D. ROBBINS

*The Secretary of State for External Affairs of Canada to the Minister of the  
United States of America at Ottawa.*

DEPARTMENT OF EXTERNAL AFFAIRS CANADA

OTTAWA, June 2, 1934.

No. 54

SIR,

In reply to your despatch No. 239 of May 21, 1934, inquiring whether this Government is disposed to agree to the extension for a period of one year beginning July 1, 1934, of the agreement concluded between our two governments in September, 1932, whereby permission was granted, under certain conditions, for military aircraft of either government to fly over specified portions of the territory of the other, I have the honour to bring to your attention that stipulation (c) of the above Convention embodies instructions to pilots in the event of forced landings, as follows:—

“In case of forced landings made outside their own territory, pilots shall, with as little delay as possible, report to the local police, Customs and Immigration authorities and notify by telegram the appropriate Departments of their respective Governments.”

As the agreement stands at present there is no guarantee to the interested parties that pilots have observed its terms. Furthermore, if pilots do report to the local police it is quite possible that such police will be unacquainted with these terms. I have the honour, therefore, to suggest that the agreement be extended for a period of one year beginning July 1, 1934, on condition that the particular paragraph referred to above be changed to read as follows:—

“In case of forced landings outside their own territory, pilots shall, with as little delay as possible, report to the Provincial Police or State Police, as applicable, and to the Customs and Immigration authorities, also notifying by telegram the appropriate Departments of both Governments.”

In this connection the appropriate Department in Canada would be the Department of National Defence. It is hoped that this change would ensure that the terms of the agreement were being observed.

Accept, Sir, the renewed assurances of my highest consideration.

O. D. SKELTON

*For the Secretary of State for External Affairs*

*The Minister of the United States of America at Ottawa to the Secretary of State for External Affairs of Canada.*

LEGATION OF THE UNITED STATES OF AMERICA

OTTAWA, CANADA, July 12, 1934.

No. 283

SIR,

I have the honor to refer to Dr. Skelton's note No. 54 of June 2, 1934, in reply to my note No. 239 of May 21, 1934, stating that the Canadian Government is willing to extend for a period of one year, beginning July 1, 1934, the agreement reached in 1932 governing certain flights by military aircraft, provided that stipulation (c) of the agreement be changed to read as follows:

“In case of forced landings outside their own territory, pilots shall, with as little delay as possible, report to the Provincial Police or State Police, as applicable, and to the Customs and Immigration authorities, also notifying by telegram the appropriate Departments of both Governments.”

The Government of the United States has no objection to the proposed change and the agreement, as amended, is therefore considered to be in effect as of July 1, 1934. I shall appreciate receiving your confirmation of this understanding.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

WARREN D. ROBBINS

*The Secretary of State for External Affairs of Canada to the Minister of the  
United States of America at Ottawa.*

DEPARTMENT OF EXTERNAL AFFAIRS CANADA

OTTAWA, July 20, 1934.

No. 91

SIR,

With reference to your despatch No. 283 of July 12th concerning the agreement between our two governments reached in 1932 whereby military aircraft of either country are permitted to fly over specified portions of the territory of the other, I have the honour to state that this Government is willing to extend the above agreement for one year, beginning July 1, 1934, provided that stipulation (c) of the agreement be changed to read as follows:

"In case of forced landings outside their own territory, pilots shall, with as little delay as possible, report to the Provincial Police or State Police, as applicable, and to the Customs and Immigration authorities, also notifying by telegram the appropriate Departments of both Governments."

Accept, Sir, the renewed assurances of my highest consideration.

O. D. SKELTON

*For the Secretary of State for External Affairs*





DOMINION OF CANADA

---

TREATY SERIES, 1934

No. 10

LOAD LINE CONVENTION

BETWEEN

CANADA AND THE UNITED STATES

---

Signed at Washington, December 9, 1933

Ratifications exchanged at Washington, July 26, 1934

---

IN FORCE JULY 26, 1934



OTTAWA, 1935

*Price, 25 cents*



LOAD LINE CONVENTION

BETWEEN

CANADA AND THE UNITED STATES

---

Washington, 9th December, 1933



OTTAWA  
J. O. PATENAUDE  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1934



# LOAD LINE CONVENTION

## BETWEEN

### CANADA AND THE UNITED STATES

WASHINGTON, 9th December 1933.

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and the President of the United States of America,

Desiring to exempt vessels of Canada and the United States operating solely on certain sheltered waters of the west coast of North America from load line requirements, as contemplated in Article 2, Section 2 of the International Load Line Convention, signed at London, July 5, 1930, which reads as follows:—

“Ships when engaged on international voyages between the near neighbouring ports of two or more countries may be exempted by the Administration to which such ships belong from the provisions of this Convention, so long as they shall remain in such trades, if the Governments of the countries in which such ports are situated shall be satisfied that the sheltered nature and conditions of such voyages between such ports make it unreasonable or impracticable to apply the provisions of this Convention to ships engaged in such trades.”

have resolved to conclude a convention for these purposes, and to that end have appointed as their respective Plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, for the Dominion of Canada:

The Honourable WILLIAM DUNCAN HERRIDGE, P.C., D.S.O., M.C., His Envoy Extraordinary and Minister Plenipotentiary for Canada in the United States of America; and

The President of the United States of America:

WILLIAM PHILLIPS, Acting Secretary of State of the United States of America;

Who, having communicated to each other their full powers, found in good and due form, have agreed as follows:

#### ARTICLE 1

The Government of the United States of America, being satisfied that the waters of Puget Sound, the waters lying between Vancouver Island and the mainland, and east of a line from a point one nautical mile west of the city limits of Port Angeles in the State of Washington to Race Rocks on Vancouver Island, and of a line from Hope Island, British Columbia, to Cape Calvert, Calvert Island, British Columbia, the waters east of a line from Cape Calvert to Duke Point on Duke Island, and the waters north of Duke Island and east of Prince of Wales Island, Baranof Island and Chicagof Island, the waters of Peril, Neva and Olga Straits to Sitka, and the waters east of a line from Port Althorp on Chicagof Island to Cape Spencer, Alaska, are sheltered waters of the nature contemplated in Article 2, Section 2 of the International Load



Line Convention, 1930, agrees to exempt from the provisions of the International Load Line Convention, and existing load line statutes of the United States, Canadian vessels, and vessels of the United States, when engaged on international voyages originating on, wholly confined to, and terminating on the above defined waters.

## ARTICLE 2

The Government of the Dominion of Canada, also being satisfied of the sheltered nature of the waters defined in Article 1 agrees likewise to exempt vessels of the United States and Canadian vessels from the requirements of the aforesaid convention and existing load line statutes of Canada, when engaged on international voyages originating on, wholly confined to, and terminating on the said waters.

## ARTICLE 3

The present convention shall be ratified in accordance with the constitutional methods of the High Contracting Parties. It shall take effect on the day of the exchange of ratifications, which shall take place at Washington as soon as possible, and it shall remain in force thereafter, until six months from the date on which one of the High Contracting Parties shall have given to the other notice of an intention to terminate it.

In faith whereof the above-named Plenipotentiaries have signed the present convention and affixed thereto their respective seals.

Done in duplicate at Washington, the ninth day of December, one thousand nine hundred and thirty-three.

(Seal)

W. D. HERRIDGE.

(Seal)

WILLIAM PHILLIPS.

DOMINION OF CANADA

---

TREATY SERIES, 1934

No. 11

EXCHANGE OF NOTES

(July 27, 1934)

Constituting an Agreement

BETWEEN

CANADA AND ROUMANIA

FOR THE

WAIVER OF CONSULAR FEES ON  
CERTIFICATES OF ORIGIN

---

IN FORCE AUGUST 27, 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935

*Price, 25 cents*



# EXCHANGE OF NOTES

(July 27, 1934)

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IN FORCE AUGUST 27, 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935





EXCHANGE OF NOTES (JULY 27, 1934) CONSTITUTING AN  
AGREEMENT BETWEEN CANADA AND ROUMANIA FOR  
THE WAIVER OF CONSULAR FEES ON CERTIFICATES OF  
ORIGIN\*

*The Secretary of State for External Affairs of Canada to the Roumanian Consul  
General for Canada.*

DEPARTMENT OF EXTERNAL AFFAIRS CANADA

OTTAWA, July 27, 1934.

SIR,

I have the honour to inform you that His Majesty's Government in the Dominion of Canada are prepared to enter into an Agreement, on a reciprocal basis, with the Roumanian Government for the waiver of consular fees on certificates of origin in the following terms:

His Majesty's Government in the Dominion of Canada will, in the event that certificates of origin are required to be visaed, not require payment of any charge or fee for attesting or legalizing certificates of origin relating to goods the produce or manufacture of Roumania exported to the Dominion of Canada.

Similarly, the Roumanian Government will instruct Roumanian Consular Officers resident in Canada to deliver, attest and legalize, upon application, without charge or fee, certificates of origin relating to goods the produce or manufacture of the Dominion of Canada exported to Roumania.

I have the honour to suggest that the present Note and your reply in similar terms be regarded as constituting a formal Agreement between the two Governments for this purpose which shall come into operation thirty days from the date of this Note and may be terminated by either Party subject to three months' notice.

I have the honour to be,

Sir,

Your obedient servant,

R. B. BENNETT

*Secretary of State for External Affairs*

---

\*Shortly after the present exchange of Notes came into effect the Roumanian Consulate General requested an amendment to be made to the present Agreement by virtue of which the Roumanian Government would retain the right to continue to charge one gold leu on each application for consular visa on a certificate of origin. This amendment was accepted in principle by the Canadian Government in December, 1934. The wording, however, has not yet been determined.

*The Roumanian Consul General for Canada to the Secretary of State for  
External Affairs of Canada.*

CONSULAT GÉNÉRAL DE ROUMANIE AU CANADA, MONTREAL, CANADA

OTTAWA, July 27, 1934.

SIR,

By your note of to-day's date you were good enough to inform me as follows:

"I have the honour to inform you that His Majesty's Government in the Dominion of Canada are prepared to enter into an Agreement, on a reciprocal basis, with the Roumanian Government for the waiver of consular fees on certificates of origin in the following terms:

His Majesty's Government in the Dominion of Canada will, in the event that certificates of origin are required to be visaed, not require payment of any charge or fee for attesting or legalizing certificates of origin relating to goods the produce or manufacture of Roumania exported to the Dominion of Canada.

Similarly, the Roumanian Government will instruct Roumanian Consular Officers resident in Canada to deliver, attest and legalize, upon application, without charge or fee, certificates of origin relating to goods the produce or manufacture of the Dominion of Canada exported to Roumania.

I have the honour to suggest that the present Note and your reply in similar terms be regarded as constituting a formal Agreement between the two Governments for this purpose which shall come into operation thirty days from the date of this Note and may be terminated by either Party subject to three months' notice."

I have the honour to acknowledge the receipt of this communication to the terms of which I agree on behalf of the Roumanian Government.

I have, etc.,

GEO. A. SIMARD

*Consul General of Roumania*

DOMINION OF CANADA

---

TREATY SERIES, 1934

No. 12

UNIVERSAL POSTAL CONVENTION

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Signed at Cairo, March 20, 1934

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Canadian Ratification Deposited at Cairo  
December 3, 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



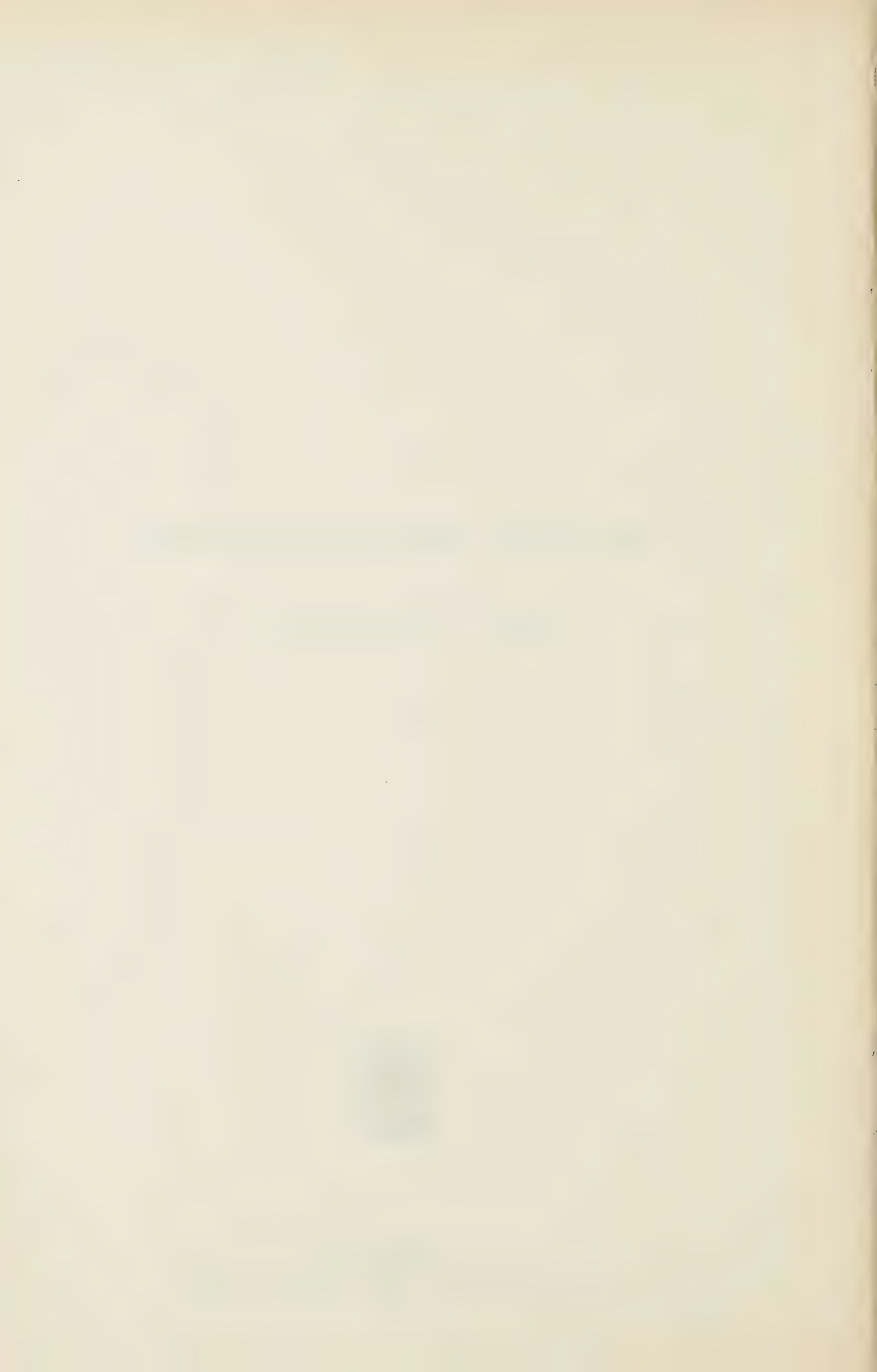
# UNIVERSAL POSTAL CONVENTION

Signed at Cairo, March 20, 1934



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936





# UNIVERSAL POSTAL CONVENTION

(Translation)

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*(Translation)*

## UNIVERSAL POSTAL CONVENTION

CONCLUDED BETWEEN

AFGHANISTAN, THE UNION OF SOUTH AFRICA, ALBANIA, GERMANY, UNITED STATES OF AMERICA, THE WHOLE OF THE ISLAND POSSESSIONS OF THE UNITED STATES OF AMERICA OTHER THAN THE PHILIPPINE ISLANDS, THE PHILIPPINE ISLANDS, THE KINGDOM OF SAUDI ARABIA, ARGENTINE REPUBLIC, THE COMMONWEALTH OF AUSTRALIA, AUSTRIA, BELGIUM, THE COLONY OF THE BELGIAN CONGO, BOLIVIA, BRAZIL, BULGARIA, CANADA, CHILE, CHINA, REPUBLIC OF COLOMBIA, REPUBLIC OF COSTA RICA, REPUBLIC OF CUBA, DENMARK, THE FREE CITY OF DANZIG, DOMINICAN REPUBLIC, EGYPT, ECUADOR, SPAIN, THE WHOLE OF THE SPANISH COLONIES, ESTONIA, ETHIOPIA, FINLAND, FRANCE, ALGERIA, THE FRENCH COLONIES AND PROTECTORATES OF INDOS-CHINA, THE WHOLE OF THE OTHER FRENCH COLONIES, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, GREECE, GUATEMALA, REPUBLIC OF HAITI, REPUBLIC OF HONDURAS, HUNGARY, BRITISH INDIA, IRAQ, THE IRISH FREE STATE, ICELAND, ITALY, THE WHOLE OF THE ITALIAN COLONIES, JAPAN, CHOSEN (KOREA), THE WHOLE OF THE OTHER JAPANESE DEPENDENCIES, LATVIA, LEVANT STATES UNDER FRENCH MANDATE (SYRIA AND LEBANON), REPUBLIC OF LIBERIA, LITHUANIA, LUXEMBURG, MOROCCO (EXCEPT THE SPANISH ZONE), MOROCCO (SPANISH ZONE), MEXICO, NICARAGUA, NORWAY, NEW ZEALAND, REPUBLIC OF PANAMA, PARAGUAY, NETHERLANDS, CURAÇAO AND SURINAM, DUTCH EAST INDIES, PERU, PERSIA, POLAND, PORTUGAL, PORTUGUESE COLONIES IN WEST AFRICA, PORTUGUESE COLONIES IN EAST AFRICA, ASIA AND OCEANIA, ROUMANIA, REPUBLIC OF SAN MARINO, REPUBLIC OF EL SALVADOR, TERRITORY OF THE SARRE, SIAM, SWEDEN, SWISS CONFEDERATION, CZECHOSLOVAKIA, TUNIS, TURKEY, THE UNION OF SOVIET SOCIALIST REPUBLICS, THE EASTERN REPUBLIC OF URUGUAY, THE STATE OF THE CITY OF THE VATICAN, UNITED STATES OF VENEZUELA, YEMEN AND THE KINGDOM OF YUGOSLAVIA.

The undersigned, plenipotentiaries of the Governments of the above-named countries, being assembled in Congress at Cairo, by virtue of Article 12 of the Universal Postal Convention concluded at London on the 28th of June, 1929, have, by mutual consent and subject to ratification, revised the said Convention to read as follows:

PART I

**UNIVERSAL POSTAL UNION**

---

CHAPTER I

**Organisation and Extent of the Union**

ARTICLE 1

**Constitution of the Union**

The countries between which the present Convention is concluded form, under the title of the Universal Postal Union, a single postal territory for the reciprocal exchange of correspondence.

It is also the object of the Postal Union to secure the organisation and improvement of the various international postal services.

ARTICLE 2

**New Adhesions. Procedure**

Any country is allowed at any time to adhere to the Convention.

Adhesion must be notified diplomatically to the Government of the Swiss Confederation, and by the latter to the Governments of all the countries of the Union.

ARTICLE 3

**Convention and Agreements of the Union**

The letter post is governed by the provisions of the Convention.

Other services, such as those relating to insured letters and boxes, postal parcels, money orders, transfers to and from postal cheque accounts, collection of bills, drafts, etc., and subscriptions to newspapers and periodicals, form the subject of Agreements between countries of the Union.

These Agreements are binding only upon the countries which have adhered to them.

Adhesion to one or more of these Agreements is subject to the provisions of Article 2.

ARTICLE 4

**Detailed Regulations**

The Postal Administrations of the Union Countries draw up, by mutual agreement, in the form of Detailed Regulations, the detailed rules necessary for the carrying out of the Convention and the Agreements.

ARTICLE 5

**Special Treaties and Agreements. Restricted Unions**

1.—Countries of the Union have the right to maintain and to conclude treaties, as well as to maintain and to establish restricted Unions, with a view to the reduction of postage rates or to any other improvement of postal relations.



2.—In countries where the internal legislation does not forbid, Administrations are authorised to make with one another any necessary agreements on the subject of questions which do not concern the Union generally, provided that conditions less favourable than those laid down by the Acts of the Union are not introduced. In the letter post, for example, they may conclude mutual arrangements for the adoption of lower rates of postage.

#### ARTICLE 6

##### **Internal Laws**

The provisions of the Convention and of the Agreements of the Union do not override the legislation of any country as regards anything which is not expressly covered by these Acts.

#### ARTICLE 7

##### **Exceptional Relations**

Administrations which provide a service with certain territories not included in the Union, are required to be the intermediaries of the other Administrations. The provisions of the Convention and its Detailed Regulations apply to these exceptional relations.

#### ARTICLE 8

##### **Colonies, Protectorates, Etc.**

The following are considered as forming a single country or Administration of the Union, as the case may be, within the meaning of the Convention or of the Agreements so far as concerns, in particular, their right to vote at a Congress or Conference, and in the interval between meetings, as well as their contribution to the expenses of the International Bureau of the Universal Postal Union:

- 1° The whole of the island possessions of the United States of America, except the Philippine Islands, and comprising Hawaii, Porto-Rico, Guam, and the Virgin Islands of the United States of America;
- 2° The Philippine Islands;
- 3° The Colony of the Belgian Congo;
- 4° The whole of the Spanish Colonies;
- 5° Algeria;
- 6° The French Colonies and Protectorates in Indo-China;
- 7° The whole of the other French Colonies;
- 8° The whole of the Italian Colonies;
- 9° Chosen (Korea);
- 10° The whole of the other Japanese Dependencies;
- 11° Curaçao and Surinam;
- 12° The Dutch East Indies;
- 13° The Portugese Colonies in West Africa;
- 14° The Portugese Colonies in East Africa, Asia and Oceania.

#### ARTICLE 9

##### **Application of the Convention to Colonies, Protectorates, Etc.**

1.—Any Contracting Party may declare, either at the time of signing, of ratifying, of adhering, or later, that its acceptance of the present Convention includes all its Colonies, Territories overseas, Protectorates or Territories under suzerainty or under mandate, or certain of them only. The declaration, unless made at the time of signing the Convention, must be addressed to the Government of the Swiss Confederation.

2.—The Convention will apply only to the Colonies, Territories overseas, Protectorates or Territories under suzerainty or under mandate, in the name of which declarations have been made in virtue of § 1.

3.—Any Contracting Party may, at any time, forward to the Government of the Swiss Confederation, a notification of the withdrawal from the Convention of any Colony, Territory overseas, Protectorate or Territory under suzerainty or under mandate in the name of which it has made a declaration in virtue of § 1. This notification will take effect one year after the date of its receipt by the Government of the Swiss Confederation.

4.—The Government of the Swiss Confederation will forward to all the Contracting Parties a copy of each declaration or notification received in virtue of §§ 1 to 3.

5.—The provisions of this Article do not apply to any Colony, Territory overseas, Protectorate or Territory under suzerainty or under mandate which is mentioned in the preamble of the Convention.

## ARTICLE 10

### Extent of the Union

The following are considered as belonging to the Universal Postal Union:

(a) post offices established by Union countries in territories not included in the Union;

(b) the Principality of Lichtenstein, as subordinate to the Postal Administration of Switzerland;

(c) the Farøe Islands and Greenland, as forming part of Denmark;

(d) the Spanish possessions on the North Coast of Africa, as forming part of Spain;

(e) the Valleys of Andorra, as served by the Postal Administrations of Spain and France;

(f) the Principality of Monaco, as subordinate to the Postal Administration of France;

(g) Walvisch Bay, as forming part of the Union of South Africa; Basutoland, as subordinate to the Postal Administration of the Union of South Africa.

## ARTICLE 11

### Arbitration

1.—In case of disagreement between two or more members of the Union as to the interpretation of the Convention and the Agreements, or as to the responsibility imposed on an Administration by the application of these Acts, the question in dispute is decided by arbitration. To that end, each of the Administrations concerned chooses another member of the Union not directly interested in the matter.

If one of the Administrations in disagreement does not take any action on a proposal for arbitration within a period of six months, or of nine months in the case of distant countries, the International Bureau, on a request to that effect, calls on the defaulting Administration to appoint an arbitrator, or appoints one officially.

2.—The decision of the arbitrators is given on an absolute majority of votes.

3.—In case of an equality of votes, the arbitrators choose, with the view of settling the difference, another Administration with no interest in the question in dispute.

Failing an agreement in the choice, this Administration is appointed by the International Bureau from among the members of the Union not proposed by the arbitrators.

4.—If the disagreement concerns one of the Agreements, the arbitrators may not be appointed from among Administrations which do not participate in that Agreement.

## ARTICLE 12

### **Withdrawal from the Union. Cessation of Participation in the Agreements**

Each contracting part is free to withdraw from the Union or to cease to participate in the Agreements by notice given one year in advance through the diplomatic channel to the Government of the Swiss Confederation and by that Government to the Governments of the contracting countries.

## CHAPTER II

### **Congresses. Conferences. Committees**

## ARTICLE 13

### **Congresses**

1.—Delegates of the countries of the Union meet in Congress not later than five years after the date of the entry into force of the Acts of the preceding Congress with the view of revising these Acts or of completing them as necessary.

Each country is represented at the Congress by one or several plenipotentiary delegates furnished by their Government with the necessary powers. It may, if it so desires, be represented by the delegation of another country. But it is understood that one delegation can undertake the representation of two countries only, including the country it primarily represents.

In the deliberations each country has one vote only.

2.—Each Congress settles the place of meeting of the next Congress. The Government of the country in which it is to take place is responsible, in consultation with the International Bureau, for convening the Congress, and also for notifying to all the Governments of the countries of the Union the decisions taken by the Congress.

## ARTICLE 14

### **Ratifications. Entry into Force and Duration of the Acts of Congresses**

The Acts of Congresses shall be ratified as soon as possible and the ratification shall be communicated to the Government of the country in which the Congress was held, and by that Government to the Governments of the contracting countries.

If one or more of the contracting parties do not ratify one or other of the Acts signed by them, these Acts are not less binding on the States which have ratified them.

These Acts come into force simultaneously and have the same duration.

From the date fixed for the entry into force of the Acts adopted by a Congress, all the Acts of the preceding Congress are repealed.

## ARTICLE 15

**Extraordinary Congresses**

When a request to that effect is made or approved by at least two thirds of the contracting countries, an Extraordinary Congress is held, after arrangement with the International Bureau.

The regulations laid down by Articles 13 and 14 apply equally to the delegations, to the deliberations and to the Acts of Extraordinary Congresses.

## ARTICLE 16

**Standing Orders of Congresses**

Each Congress draws up the standing orders for its work and deliberations.

## ARTICLE 17

**Conferences**

Conferences for the consideration of purely administrative questions may be held at the request or with the assent of at least two thirds of the Administrations of the Union.

They are convened after arrangement with the International Bureau.

Each Conference draws up its own standing orders.

## ARTICLE 18

**Committees**

Committees charged by a Congress or a Conference with the examination of one or more particular questions are convened by the International Bureau after arrangement with the Administration of the country where these Committees are to sit.

## CHAPTER III

**Proposals made between Meetings**

## ARTICLE 19

**Introduction of Proposals**

In the interval between meetings, any Administration has the right to address to the other Administrations, through the medium of the International Bureau, proposals concerning the Convention, its Final Protocol and its Detailed Regulations.

The same right is accorded to the Administrations of the countries participating in the Agreements so far as these Agreements, their Detailed Regulations and the Final Protocols are concerned.

In order to be considered, every proposal introduced by an Administration in the interval between meetings must be supported by at least two other Administrations. A proposal lapses when the International Bureau does not receive, at the same time as the proposal, the necessary number of declarations of support.



## ARTICLE 20

**Examination of Proposals**

Every proposal is subject to the following procedure:

A period of six months is allowed to Administrations to examine the proposal and to communicate their observations, if any, to the International Bureau. Amendments are not admitted. The answers are collected by the International Bureau, and communicated to the Administrations, with an invitation to declare themselves for or against. Administrations which have not notified their vote within a period of six months are considered as abstaining. The periods quoted above are calculated from the date of the circulars from the International Bureau.

If the proposal concerns an Agreement, its Detailed Regulations or the Final Protocol of either, only the Administrations which have adhered to that Agreement may take part in the procedure indicated above.

## ARTICLE 21

**Conditions of Approval**

1.—In order to become binding, the proposals must obtain:

(a) a unanimous vote if they involve the addition of new provisions or the modification of the provisions of Parts I and II, or of Articles 33 to 37, 54 to 59, 61 to 63, 65 to 68, 70 to 82 of the Convention, of any of the articles of its Final Protocol and of Articles 101, 105, 116, 161, 171, and 192 of its Detailed Regulations;

(b) a two thirds vote if they involve a modification of the provisions other than those mentioned in the preceding paragraph;

(c) a simple majority if they affect the interpretation of the provisions of the Convention, of its Final Protocol and its Detailed Regulations, except in the case of disagreement to be submitted to arbitration as provided for by Article II.

2.—The conditions to be fulfilled for the approval of proposals concerning the Agreements are fixed by the Agreements themselves.

## ARTICLE 22

**Notification of Decisions**

Additions to and modifications of the Convention, the Agreements and the Final Protocols of these Acts are sanctioned by a diplomatic declaration, which the Government of the Swiss Confederation undertakes to prepare and forward at the request of the International Bureau to the Governments of the contracting countries.

Additions to and modifications of the Detailed Regulations and their Final Protocols are drawn up and notified to the Administrations by the International Bureau. The same applies to the interpretations referred to under Article 21, § 1, (c).

## ARTICLE 23

**Execution of Decisions**

No addition or modification adopted comes into force until at least three months after its notification.



## CHAPTER IV

**International Bureau**

## ARTICLE 24

**General Functions**

1.—A central Office, situated at Berne, known as the International Bureau of the Universal Postal Union, and placed under the supervision of the Swiss Postal Administration, serves as a medium of liaison, information and consultation for the countries of the Union.

This Office is entrusted especially with the duty of collecting, collating, publishing and distributing information of every kind which concerns the international postal service; of giving, at the request of the parties concerned, an opinion upon questions in dispute; of making known proposals for modifying the Acts of the Congress; of notifying alterations adopted, and, in general, of taking up such enquiries and work in connection with editing and arranging material as the Convention, the Agreements, and their Detailed Regulations shall assign to it, or as may be entrusted to it in the interest of the Union.

2.—It acts as clearing-house for the settlement of accounts of every description relative to the international postal service between the Administrations which claim its assistance.

## ARTICLE 25

**Expenses of the International Bureau**

1.—Each Congress fixes the maximum figure for the ordinary annual expenditure of the International Bureau.

These expenses, as well as the special expenditure occasioned by the meetings of a Congress, Conference, or Committee, and the costs which may arise out of special work entrusted to the International Bureau, are borne in common by all the countries of the Union.

2.—To this end, the latter are divided into seven classes, each contributing to the payment of the expenses in the following proportion:

1st class	25 units.	5th class	5 units.
2nd "	20 "	6th "	3 "
3rd "	15 "	7th "	1 unit.
4th "	10 "		

3.—In the case of a new adhesion, the Government of the Swiss Confederation settles, by agreement with the Government of the country concerned, the class in which the country is to be placed for the apportionment of the expenses of the International Bureau.

PART II  
**GENERAL REGULATIONS**

CHAPTER I

ARTICLE 26

**Freedom of Transit**

1.—Freedom of transit is guaranteed throughout the entire territory of the Union.

2.—Freedom of transit for postal parcels is limited to the territory of the countries taking part in this service.

Insured articles may be forwarded in closed mails through the territory of countries which do not undertake the insured letter and box service or by the sea services in respect of which responsibility for insured articles is not accepted by the countries concerned, but the responsibility of these countries is limited to that prescribed for registered articles.

The transit of small packets through the territory of countries which do not accept those articles is optional.

ARTICLE 27

**Prohibition of Unauthorised Charges**

It is forbidden to impose any postal charge whatever except those prescribed by the Convention and the Agreements.

ARTICLE 28

**Temporary Suspension of Services**

When an Administration finds itself obliged, owing to exceptional circumstances, temporarily to suspend its services, either wholly or in part, it must at once notify the fact, if necessary by telegraph, to the Administration or Administrations concerned.

ARTICLE 29

**Monetary Standard**

The franc regarded as the monetary unit in the provisions of the Convention and the Agreements is the gold franc of 100 centimes of a weight of  $1\frac{10}{31}$  of a gramme and of a fineness of 0·900.

ARTICLE 30

**Equivalents**

In each country of the Union, postage rates are fixed at the closest possible equivalent of the value of the franc in the currency of the country.

## ARTICLE 31

**Forms. Language**

1.—The forms used by the Administrations in their mutual relations must be drawn up in French, with or without an interlinear translation in another language, unless the Administrations concerned arrange otherwise by direct agreement.

2.—The forms used by the public must include an interlinear translation in French when they are not printed in that language.

3.—So far as the forms referred to in §§ 1 and 2 are concerned, the wording, colours, and dimensions must be those prescribed by the Detailed Regulations of the Convention and of the Agreements.

4.—Administrations may by common consent decide upon the language to be used in official correspondence in their reciprocal relations.

## ARTICLE 32

**Identity Cards**

1.—Each Administration may issue, to persons who apply for them, identity cards to serve as evidence of identity for all kinds of post office business in the countries which have not notified their refusal to admit them.

2.—The Administration which issues an identity card is authorised to make, on this account, a charge which may not exceed 1 franc.

3.—Administrations are relieved from all responsibility when it is established that a postal packet was delivered or a money order was paid on presentation of a valid identity card.

Administrations are not responsible for the consequences of the loss, abstraction or fraudulent use of a valid identity card.

4.—The identity card is valid for three years from the date of issue.

## PART III

### PROVISIONS REGARDING CORRESPONDENCE

#### CHAPTER I

#### General Provisions

##### ARTICLE 33

##### Definition of Correspondence

The term correspondence covers letters, post-cards, both single and reply-paid, commercial papers, printed papers of every kind, including articles printed in relief for the use of the blind, samples of merchandise and small packets.

The small packet service is limited to those countries which agree to maintain it in their reciprocal relations or in one direction only.

##### ARTICLE 34

##### Rates of Postage and General Conditions

1.—The prepaid rates of postage for the conveyance of correspondence throughout the entire extent of the Union, including delivery at the residence of the addressees in the countries where a delivery is or shall be organized, as well as the limits of weights and dimensions, are fixed as indicated in the following table:

Articles 1	Units of Weight 2	Rates 3	Limits	
			of weight 4	of size 5
	gr.	c.		
Letters { first unit of weight..... each succeeding unit..... }	20	25	2 kilos	Length, width and depth combined: 90 cm., but the greatest dimension may not exceed 60 cm.; In roll form: Length and twice the diameter, 100 cm., but the greatest dimension may not exceed 80 cm.
		15		
Post-cards { Single..... Reply paid..... }	—	15	—	maximum— 15 × 10.5 cm. minimum— 10 × 7 cm.
Commercial papers.....	50	5	2 kilos	As for letters. Printed papers sent unenclosed in the form of cards, whether folded or not, are subject to the same minimum dimensions as postcards.
Minimum charge....	—	25	—	
Printed papers.....	50	5	2 kilos	
			(3 kilos for volumes sent singly)	
			5 kilos	
Blind literature.....	1,000	3	500 gr.	
Samples of merchandise	50	5		
Minimum charge....	—	10		
Small packets.....	50	10	1 kilo	
Minimum charge....	—	50	—	



2.—The limits of weight and size fixed by § 1 do not apply to correspondence relating to the postal service, as specified in Article 49, § 1.

3.—Each Administration has the right, in its relations with those Administrations which have so agreed, to allow a reduction of 50 per cent, of the ordinary rate for printed papers to newspapers and periodicals published in its country and posted directly by the publishers or their agents; but commercial printed papers such as catalogues, prospectuses, price lists, etc., however regularly they are issued, are excluded from this reduction.

Administrations may, equally, with the consent of the Administration of the country of destination, allow a similar reduction to books including pamphlets or sheets of music, no matter who is the sender, provided they contain no publicity matter or advertisements other than that appearing on the cover or the fly leaves.

4.—Articles, other than sealed registered letters, may not contain coin, bank notes, currency notes, negotiable instruments payable to bearer, platinum, gold or silver, manufactured or not, precious stones, jewels and other valuable articles.

5.—The administrations of the countries of origin and of destination have the right to treat, according to their internal legislation, letters which contain documents having the character of current and personal correspondence, addressed to persons other than the addressee or persons living with him.

6.—Except as provided in the Detailed Regulations, commercial papers, printed papers, samples of merchandise, and small packets:

- (a) must be made up in such a manner as to be easy of examination;
- (b) may not bear any notes or contain any document having the character of current and personal correspondence;
- (c) may not contain any postage stamp or form of prepayment, whether obliterated or not, nor any paper representing a monetary value.

7.—Packets of samples of merchandise may not contain any article having a saleable value.

8.—The enclosure in one and the same packet of correspondence of different categories (articles grouped together) is authorised under the conditions laid down in the Detailed Regulations.

9.—Apart from the exceptions prescribed by the Convention and its Detailed Regulations, articles which do not fulfil the conditions laid down in the present Article and the corresponding Articles of the Detailed Regulations are not forwarded.

Articles which have been wrongly accepted must be returned to the Administration of the country of origin. Nevertheless the Administration of the country of destination is authorised to deliver such articles to the addressees. In that case it must, if necessary, apply to them the rates of postage and surcharges prescribed for the category of correspondence in which they are placed by reason of their contents, weight or size. Articles of which the weight exceeds the maximum limits laid down in § 1 may be taxed according to their actual weight.

## ARTICLE 35

### Prepayment

As a general rule all the articles mentioned in Article 33 must be fully prepaid by the sender.

Correspondence, other than letters and single post-cards, which is unpaid or insufficiently prepaid, and reply paid post-cards of which the two halves are not fully prepaid at the time of posting, are not forwarded.



## ARTICLE 36

**Charge on Unpaid or Insufficiently Prepaid Correspondence**

Apart from the exceptions laid down in Article 145, §§ 3, 4 and 5, of the Detailed Regulations for certain classes of redirected articles, letters and single post-cards not prepaid or insufficiently prepaid are liable to a charge equal to double the amount of the deficient postage to be paid by the addressees; but that charge may not be less than 5 centimes.

The same treatment may be applied in similar circumstances to other articles of correspondence which have been incorrectly forwarded to the country of destination.

## ARTICLE 37

**Surtaxes**

Over and above the rates fixed by Article 34, a surtax proportionate to the expenses incurred may be levied on every article forwarded by extraordinary services which involve special payment.

When the rate of prepayment for the single post-card comprises the surtax authorised by the preceding paragraph, the same rate is applicable to each half of the reply-paid post-card.

## ARTICLE 38

**Special Charges**

1.—Administrations are authorised to make an additional charge, in accordance with their own legislation, on articles posted after the ordinary hour of collection.

2.—Articles addressed *poste restante* may be taxed by Administrations of the countries of destination with the special charge prescribed by their legislation for similar articles in the inland service.

3.—The Administrations of countries of destination are authorised to levy a special charge not exceeding 50 centimes on each small packet delivered to the addressee. This charge may be increased by a sum not exceeding 25 centimes when the packet is delivered at the addressee's premises.

## ARTICLE 39

**Articles Liable to Customs Duty**

Small packets and printed paper packets liable to customs duty are admitted.

The same applies to letters and sample packets containing articles liable to customs duty when the country of destination has given its consent.

Packets containing serums and vaccines included in the exception shown in Article 122 of the Detailed Regulations are admitted in every case.

## ARTICLE 40

**Customs Control**

The Administration of the country of destination is authorised to submit to the Customs the correspondence mentioned in Article 39, and, if necessary, to open it officially.

## ARTICLE 41

**Customs Clearance Fee**

A customs clearance fee of 50 centimes at most per article may be collected as a postal charge on articles submitted to the Customs in the country of destination.

## ARTICLE 42

**Customs and Other Non-Postal Charges**

Administrations are authorised to collect from the addressees the customs charges and any other non-postal charges which may be due.

## ARTICLE 43

**Correspondence for Delivery Free of Charges**

1.—In the relations between those countries which have notified their agreement to that effect, the senders may, by means of a previous declaration at the office of despatch, undertake to pay the whole of the postal and non-postal charges which are due to be collected on the delivery of the articles.

In this case, the senders must undertake to pay the amounts which the office of destination may claim, and, if necessary, pay a sufficient deposit.

The Administration of the country of destination is authorised to collect a fee not exceeding 50 centimes per article. This fee is independent of that authorised by Article 41.

2.—Any Administration is entitled to limit the service of delivery free of charges to registered articles.

## ARTICLE 44

**Cancellation of Customs Duty and Other Non-Postal Charges**

Administrations undertake to request the appropriate services in their country to cancel the customs duty and other non-postal charges on articles returned to the country of origin, destroyed owing to the complete damage of the contents or redirected to a third country.

## ARTICLE 45

**Express Packets**

1.—Correspondence is, at the request of the senders, sent out for delivery by special messenger immediately after arrival, in the countries of which the Administrations agree to undertake this service in their reciprocal relations.

2.—Such correspondence, which is called “express,” is subject, in addition to the ordinary postage, to a special charge amounting as a minimum to double the postage on a single-rate ordinary letter and as a maximum to 70 centimes. This charge must be fully paid in advance by the sender.

3.—When the addressee’s house is situated outside the local delivery zone of the office of destination, a complementary charge not exceeding that prescribed in the inland service may be collected for express delivery.

In this case, however, express delivery is not obligatory.

4.—Express packets, upon which the total amount of the charges payable in advance has not been prepaid, are delivered by the ordinary means, unless they have been treated as express by the office of origin. In the latter case they are taxed according to the provisions of Article 36.

5.—Administrations are not obliged to make more than one attempt to deliver correspondence by express. If this attempt is unsuccessful, the article may be treated as an ordinary article.

## ARTICLE 46

**Prohibitions**

1.—It is forbidden to send by post the articles indicated in Column 1 of the following Table. If these articles have been wrongly admitted to the post, they must be treated as indicated in Column 2.

Articles	Treatment of packets wrongly admitted
1	2
<p>(a) Articles which, from their nature or by their packing, may expose postal officials to danger, or soil or damage correspondence;</p> <p>(b) articles liable to customs duty (apart from the exceptions laid down in Article 39) as well as samples sent in quantities with the intention of avoiding the payment of this duty;</p> <p>(c) opium, morphine, cocaine, and other narcotics;</p> <p>(d) articles of which the importation or the circulation is forbidden in the country of destination;</p> <p>(e) explosive, inflammable or dangerous substances;</p> <p>(f) obscene or immoral articles;</p> <p>(g) living animals, except bees, leeches and silk-worms.</p>	<p>To be treated according to the inland regulations of the Administration which discovers them; nevertheless articles indicated under (c) may, in no case, be sent forward to destination or delivered to the addresses, or returned to origin.</p> <p>To be destroyed on the spot by the Administration which discovers them.</p> <p>To be returned to the country of origin; nevertheless if they are discovered by the Administration of the country of destination that Administration is authorised to deliver them to the addressees under the conditions prescribed by its inland regulations.</p>

2.—If packets wrongly admitted to the post are neither returned to origin nor delivered to the addressee, the Administration of origin must be advised exactly how the packets have been treated.

3.—The right is, moreover, reserved to every country to refuse to convey *à découvert* over its territory articles other than letters and post-cards in regard to which the legal requirements which regulate the conditions of their publication or circulation in that country have not been complied with.

These articles must be returned to the Administration of the country of origin.

## ARTICLE 47

**Methods of Prepayment**

1.—Prepayment of postage is effected either by means of postage stamps valid in the country of origin for the correspondence of private individuals, or by means of impressions of stamping machines, officially adopted and working under the immediate control of the Administration, or, in the case of printed papers, by means of printed impressions or by any other process when such a system is authorised by the inland regulations of the Administration of origin.

2.—The following are considered as duly prepaid: reply post-cards bearing postage stamps, impressed or affixed, of the country of issue, articles properly prepaid for their first transmission and on which complementary postage has been paid before their redirection, as well as newspapers or packets of newspapers and periodicals with the words "*Abonnement-poste*" which are sent in virtue of the Agreement for subscriptions to newspapers and periodicals.



## ARTICLE 48

**Prepayment of Postage on Board Ship**

Correspondence posted on the high seas in the letter box on board a ship or handed to postal officials on board or to the commanders of ships may, in the absence of different arrangements between the Administrations concerned, be prepaid by means of the postage stamps and according to the tariff of the country to which the said ship belongs or by which it is maintained. If the posting on board takes place during the stay at one of the two terminal points of the voyage or at any intermediate port of call, prepayment is valid only if it is effected by means of the postage stamps and according to the tariff of the country in the waters of which the ship happens to be.

## ARTICLE 49

**Exemptions from Postage**

1.—The following are exempt from all postal charges:

Correspondence on Postal Service exchanged between Postal Administrations, between these Administrations and the International Bureau, between post offices of Union countries, and between these offices and Administrations, as well as correspondence of which the free transmission is expressly provided for in the Convention, the Agreements, and their Detailed Regulations.

2.—With the exception of articles marked with a trade charge, correspondence intended for prisoners of war or despatched by them is also exempt from all postal charges, not only in the countries of origin and destination, but in intermediate countries.

The same privilege is accorded to correspondence concerning prisoners of war, despatched or received, either directly by, or through the agency of, Information Bureaux established on behalf of such persons in belligerent countries or in neutral countries which have received belligerents on their territories.

Belligerents received and interned in a neutral country are treated like prisoners of war, properly so-called, in so far as the application of the above-mentioned rules is concerned.

## ARTICLE 50

**Reply Coupons**

Reply coupons are on sale in the countries of the Union.

The selling price of a reply coupon is fixed by the Administrations concerned, but may not be less than 35 centimes, or the equivalent in the money of the country of issue.

Each coupon is exchangeable in any country for a stamp or stamps representing the postage on a single-rate letter for abroad originating in that country.

Moreover, any country has the right to demand that reply coupons and the correspondence to be prepaid by means of the stamps received in exchange for these coupons shall be presented at the same time.

## ARTICLE 51

**Withdrawal of Correspondence. Alteration of Address**

1.—The sender of a postal packet can have it withdrawn from the post or have its address altered, so long as the article has not been delivered to the addressee.

2.—The request to this effect is sent by post or by telegraph at the expense of the sender, who must pay, for every request by post, the charge for a registered single-rate letter, and for every request by telegraph, the charge for the telegram.

If the request for withdrawal of correspondence or alteration of address concerns several packets posted simultaneously at the same office by the same sender to the same addressee, the sender pays, for every request by post, the charge for one registered single-rate letter and, for every request by telegraph, the charge for the telegram containing particulars of all the packets in question.

## ARTICLE 52

**Redirection. Undelivered Correspondence**

1.—If the addressee changes his address, the correspondence is redirected to him, unless the sender has forbidden redirection, by means of a note to that effect on the address side of the correspondence, in a language known in the country of destination.

2.—Correspondence which is not delivered must be returned immediately to the country of origin.

3.—The period of retention for correspondence held at the disposal of the addressees or addressed "*poste restante*" is fixed by the rules of the country of destination. This period may not, however, exceed two months as a general rule, except in particular cases when the Administration of destination considers it necessary to prolong the period up to a maximum of four months. The return to the country of origin must take place within a shorter period if the sender has requested it by a note on the address side in a language known in the country of destination.

4.—Printed papers of no value are not returned to origin, unless the sender, by means of a note on the outside of the article, has asked for their return. Registered printed papers must always be returned.

5.—No supplementary postage is charged for the redirection of correspondence from country to country or its return to the country of origin, apart from the exceptions provided for in the Detailed Regulations.

6.—Correspondence which is redirected or which is undeliverable is delivered to the addressees or senders, against payment of the charges raised on departure or arrival or in course of transmission in consequence of redirection after the first transmission, without prejudice to the repayment of customs duty or other special charges which the country of destination does not cancel.

7.—In case of redirection to another country or of non-delivery, the "*poste restante*" fee, the customs clearance fee, the commission fee, the complementary express fee, and the special fee for delivery of small packets to the addressees are cancelled.



## ARTICLE 53

**Enquiries**

1.—For an enquiry in respect of any postal packet a fixed fee not exceeding 50 centimes may be charged.

This fee is charged for each packet, even if the enquiry concerns several packets posted at the same time by the same sender to the same addressee.

As regards registered articles, no fee is charged if the sender has already paid the special fee for an advice of delivery.

2.—An application is only entertained if made within a year, counting from the day following the posting of the article.

Every Administration is bound, however, to furnish information, if requested by another Administration, after this lapse of time, concerning packets despatched within two years.

3.—Every Administration is obliged to accept enquiries concerning articles posted on the territory of other Administrations.

4.—When an enquiry has arisen through a service error, the enquiry fee is repaid.

## CHAPTER II

**Registered Articles**

## ARTICLE 54

**Charges**

1.—The articles specified in Article 33 may be registered.

2.—The charge on every registered article must be paid in advance.

It is made up of:

(a) the postage ordinarily prepayable on the packet according to its class;

(b) a fixed registration fee of 40 centimes at most.

The registration fee on the reply half of a reply-paid post-card can only be validly prepaid by the sender of this half.

3.—A receipt must be issued free of charge to the sender of a registered article at the time of posting.

4.—Countries prepared to undertake risks arising from causes beyond control are authorised to collect a special charge of 40 centimes at most for each registered article.

5.—Unpaid or insufficiently prepaid registered articles which have been incorrectly forwarded to the country of destination are liable to a charge, to be paid by the addressee, equal in amount to the deficient postage.

## ARTICLE 55

**Advice of Delivery**

The sender of a registered article may request an advice of delivery by paying, at the time of posting, a fixed fee of 40 centimes at most.

An advice of delivery may be applied for after the posting of the article within the period and on payment of the fee prescribed for enquiries by Article 53.

## ARTICLE 56

**Responsibility**

1.—Except in the cases provided for in Article 57, hereafter, Administrations are responsible for the loss of registered articles.

The sender is entitled, in respect of the loss, to compensation, of which the amount is fixed at 50 francs per article.

2.—Administrations assume no responsibility for articles seized by the Customs authorities by reason of a false declaration of their contents.

## ARTICLE 57

**Exceptions in Respect of Responsibility**

Administrations are relieved from all responsibility for the loss of registered articles:

(a) in circumstances beyond control; the responsibility, however, still attaches to the Administration of origin if it has undertaken to cover risks arising from causes beyond control (Article 54, § 4). The country responsible for the loss must decide, according to its internal legislation, whether the loss is due to circumstances constituting causes beyond control;

(b) which they cannot account for in consequence of the destruction of official documents through a cause beyond control, provided that their responsibility has not been proved otherwise;

(c) of which the contents fall within the prohibitions specified in Articles 34, §§ 4 and 6 (c), and 46, § 1;

(d) when the sender has not made any application within the period of one year prescribed by Article 53.

## ARTICLE 58

**Cessation of Responsibility**

Administrations cease to be responsible for registered articles which have been delivered under the conditions prescribed by their internal regulations for packets of the same class.

## ARTICLE 59

**Payment of Compensation**

The payment of the compensation must be undertaken by the Administration to which the despatching office is subordinate, subject to its right to make a claim on the Administration responsible.

## ARTICLE 60

**Period for Payment of Compensation**

1.—The payment of compensation must take place as soon as possible, and at the latest within six months from the day following the date of the application. This period is extended to nine months in relations with distant countries.

An Administration of origin which does not accept responsibility in cases of loss through a cause beyond control may exceptionally postpone settlement of the compensation beyond the period mentioned in the preceding paragraph, when the question whether the loss of the article is due to a case of this nature has not been decided.

2.—The Administration of origin is authorised to settle with the sender on account of the Administration, whether intermediate or of destination, which, duly informed of the application, has let three months pass without settling the matter; this period is extended to six months in relations with distant countries.

## ARTICLE 61

### Fixing of Responsibility

1.—Until the contrary is proved, responsibility for the loss of a registered article rests with the Administration which, having received the article without making any observation, and being furnished with all the materials for inquiry prescribed by the regulations, cannot establish delivery to the addressee or regular transfer to the following Administration, as the case may be.

Until the contrary is proved, an Administration, whether intermediate or of destination, is relieved of all responsibility:—

(a) when it has carried out the provisions of Article 159, § 3 of the Detailed Regulations;

(b) when it can prove that it has not received the inquiry until after the destruction of its service documents relating to the article inquired for, the period of retention prescribed by Article 177 of the Detailed Regulations having expired. This reservation does not affect the rights of the claimant.

Nevertheless if the loss has occurred in course of conveyance without its being possible to ascertain on the territory or in the service of which country the loss took place, the Administrations concerned bear the loss in equal shares.

2.—When a registered article has been lost in circumstances beyond control, the Administration on the territory or in the service of which the loss has occurred is responsible to the Administration of origin only when both countries undertake risks arising from causes beyond control.

3.—The customs and other charges which cannot be cancelled are borne by the Administrations responsible for the loss.

4.—The Administration which has made payment of compensation takes over the rights of the person who has received it, up to the amount of this compensation, in any action which may be taken against the sender, the addressee, or third parties.

5.—If a registered article considered as lost is subsequently found, the person to whom the compensation has been paid must be advised that he may take possession of the article against repayment of the amount of the compensation.

## ARTICLE 62

### Repayment of Compensation to the Administration of Origin

1.—The Administration responsible or on whose account payment is made in accordance with Article 60 is bound to repay to the Administration of origin within a period of three months, reckoning from the date of despatch of the notice of payment, the amount of the compensation actually paid to the sender.

If the compensation is to be borne by several Administrations in accordance with Article 61, the whole of the compensation due must be paid to the Administration of origin within the period mentioned in the preceding paragraph, by the first Administration, which, having duly received the packet under enquiry, is unable to prove its regular transfer to the next service. It rests with this Administration to recover from the other Administrations responsible their share of the amount of compensation paid to the sender.



2.—The repayment is made free of cost to the creditor Administration by means of either a money order, a cheque or a draft payable at sight in the capital or a commercial centre in the creditor country, or in coin current in that country.

When responsibility is admitted, as well as in the case provided for in Article 60, § 2, the amount of indemnity may be recovered from the country responsible by means of an Account, either directly, or through the intermediary of an Administration which exchanges Accounts regularly with the Administration responsible.

After the period of three months, the sum due to the Administration of origin bears interest, at the rate of 5 per cent per annum, counting from the day of expiry of the said period.

3.—The Administration of origin may only claim repayment from the Administration responsible within a period of two years counting from the date of despatch of the notification of the loss, or, if the case arises, from the date of expiry of the period prescribed by Article 60, § 2.

4.—The Administration whose responsibility is duly proved and which has at first declined to pay the compensation must bear all additional charges resulting from the unwarranted delay in payment.

5.—Administrations may come to an agreement to liquidate periodically the compensation which they have paid to the senders and which they have agreed to be justified.

## CHAPTER III

### Cash on Delivery Packets

#### ARTICLE 63

#### Charges and Conditions. Settlement

1.—Registered correspondence with trade charges to be collected on delivery may be exchanged between countries of which the Administrations agree to provide this service.

2.—Packets with trade charges are subject to the same regulations and rates as registered articles. In addition, the sender pays in advance:—

(a) a fixed charge which must not exceed 50 centimes per packet and a proportional charge not exceeding  $\frac{1}{2}$  per cent of the amount of the trade charge, if he requests that the amount should be liquidated by means of a trade charge money order issued free of commission in his favour.

(b) a fixed charge which must not exceed 25 centimes if he requests liquidation by means of a postal cheque account in the country of destination of the packet.

3.—The method of liquidation provided for under § 2(b) applies only if the Administrations concerned undertake to apply this method of liquidation.

The Administration of destination pays into the postal cheque account, by means of an inland transfer note, the amount collected from the addressee, after deduction of a fixed charge not exceeding 25 centimes and the ordinary charge for payments applicable in its internal service.

4.—Whatever may be the method of liquidation, the maximum trade charge is equal to the maximum amount fixed for money orders addressed to the country in which the article originated.

5.—In the absence of any contrary arrangement, the amount of the trade charge is expressed in the money of the country in which the packet originated. Nevertheless, in all cases of payment into a postal cheque account in the country of destination of the packet, the amount must be indicated in the money of that country.

6.—Each Administration may adopt, for the collection of the proportional charge prescribed by § 2(a), the scale which best suits its service.

#### ARTICLE 64

##### **Cancellation or Reduction of the Amount of the Trade Charge**

The sender of a registered article marked with a trade charge can demand the total or partial cancellation of the amount of the trade charge.

Requests of this nature are subject to the same conditions as requests for the withdrawal of correspondence from the post or alteration of address.

If the request for total or partial cancellation of the amount of the trade charge has to be sent by telegraph, the charge for the telegram is added to the charge for a single-rate registered letter.

#### ARTICLE 65

##### **Responsibility in Case of Loss of the Packet**

The loss of a registered article marked with a trade charge involves the responsibility of the postal service under the conditions laid down in Articles 56 and 57.

#### ARTICLE 66

##### **Sums Duly Collected: Guarantee**

The sums duly collected from the addressee, whether or not they have been converted into money orders or paid into a postal cheque account, are guaranteed to the sender under the conditions laid down by the Agreement concerning the Money Order service or by the regulations governing the postal cheque and transfer service.

#### ARTICLE 67

##### **Compensation in Case of Failure to Collect the Amount of the Trade Charge or of Insufficient or Fraudulent Collection**

1.—If the packet has been delivered to the addressee without the collection of the trade charge, the sender is entitled to compensation, provided that application has been made within the period prescribed by Article 53, § 2, and unless the failure to collect the charge is due to fault or negligence on his part, or unless the contents of the packet fall within the prohibitions prescribed by Articles 34, § 4 and 6(c), and 46, § 1.

The same rule applies if the amount collected from the addressee is less than the amount of the trade charge indicated or if it has been collected fraudulently.

The compensation may not, in any case, exceed the amount of the trade charge.

2.—The Administration which has made payment of compensation takes over the rights of the person who has received it up to the amount of the compensation in any action which may be taken against the addressee, the sender or third parties.



## ARTICLE 68

**Sums Duly Collected. Compensation. Payments and Claims**

Payment of the sums duly collected or of the compensation referred to in Article 67 must be undertaken by the Administration to which the despatching office is subordinate, subject to its rights to make a claim on the Administration responsible.

## ARTICLE 69

**Period for Payment**

The provisions of Article 60 concerning the periods for payment of compensation for the loss of a registered article apply also to the payment of sums collected or of the compensation in respect of packets marked with trade charges.

## ARTICLE 70

**Fixing of Responsibility**

The payment by the Administration of origin of sums duly collected or of the compensation prescribed by Article 67 is made on behalf of the Administration of destination. The latter is responsible unless it can prove that the fault is due to a breach of the regulations by the despatching Administration.

In the case of fraudulent collection following upon the disappearance in the postal service of a trade charge packet, the responsibility of the Administrations concerned is fixed in accordance with the provisions of Article 61 for the loss of an ordinary registered article.

Nevertheless, the responsibility of an intermediate Administration which does not participate in the cash on delivery service is limited to that prescribed by Articles 56 and 57 for registered articles. The other Administrations bear in equal shares the amount not covered.

## ARTICLE 71

**Repayment of Sums Advanced**

The Administration of destination is bound to repay to the Administration of origin, under the conditions prescribed by Article 62, the sums which have been advanced on its behalf.

## ARTICLE 72

**Trade Charge Money Orders and Transfer Notes**

1.—The amount of a trade charge money order which has not been paid to the payee for any reason whatever is not repaid to the Administration of issue. It is held at the disposal of the payee by the Administration which despatched the trade charge packet and accrues definitely to that Administration after the expiry of the legal period of validity.

In all other respects, and with the reservations prescribed by the Detailed Regulations, trade charge money orders are subject to the provisions of the Agreement concerning the Money Order service.

2.—When, for any reason, a transfer note, issued in accordance with the provisions of Article 63, cannot be carried to the credit of the beneficiary indicated by the sender of the trade charge packet, the amount of this note must be placed, by the Administration which has collected it, at the disposal of the Administration of origin to be paid to the sender of the packet.

If this payment cannot be effected, the procedure prescribed by § 1 is followed.

## ARTICLE 73

**Division of the Cash on Delivery Charge and Fee**

The Administration of origin credits to the Administration of destination, in the conditions prescribed by the Detailed Regulations, a fixed share of 20 centimes for each trade charge packet, plus  $\frac{1}{4}$  per cent of the total amount of the trade charge money orders paid.

## CHAPTER IV

**Allocation of Postage Collections**

## ARTICLE 74

**Allocation of Postage Collections**

Except in the cases expressly provided for by the Convention, each Administration keeps the whole of the charges which it collects.

## ARTICLE 75

**Transit Rates**

1.—Correspondence exchanged in closed mails between two Administrations, by means of the services of one or more other Administrations (third services), is subject to transit charges to be paid to each of the countries traversed or whose services take part in the conveyance, as indicated in the following table:

	Per kilogramme	
	of letters and post-cards	of other articles
<b>1. Land transits:</b>		
Up to 1,000 kilometres.....	Fr. c. 0-60	Fr. c. 0-08
Above 1,000 up to 2,000 km.....	0-80	0-12
“ 2,000 “ 3,000 “.....	1-20	0-16
“ 3,000 “ 6,000 “.....	2-00	0-24
“ 6,000 “ 9,000 “.....	2-80	0-32
“ 9,000 kilometres.....	3-60	0-40
<b>2. Sea transits:</b>		
Up to 300 nautical miles.....	0-60	0-08
Above 300 up to 1,500 nautical miles.....	1-60	0-20
Between Europe and North America.....	2-40	0-32
Above 1,500 up to 6,000 nautical miles.....	3-20	0-40
Above 6,000 nautical miles.....	4-80	0-60

2.—The transit charges for sea conveyance over a distance not exceeding 300 nautical miles are fixed at one-third of the amounts specified in § 1 if the Administration concerned already receives, on account of the mails conveyed, the payment applicable to land transit.

3.—In the case of sea conveyance performed by two or more Administrations, the charges paid for the entire sea transit may not exceed 4 francs 80 per kilogramme of letters and post-cards, and 60 centimes per kilogramme of other articles. Should occasion arise, these maximum amounts are shared between the Administrations participating in the service, in proportion to the distances traversed.

4.—In the absence of any other arrangement, the direct sea conveyance between two countries by means of vessels maintained by one of them is considered as a third service, as well as conveyance between two offices of the same country, by means of services maintained by another country.

5.—Small packets, newspapers or packets of newspapers and periodicals sent in virtue of the Agreement concerning subscriptions to newspapers and periodicals, as well as insured boxes despatched under the Agreement concerning insured letters and boxes, are considered as "other articles" as regards transit.

6.—Mis-sent mails are regarded, in respect of the payment of transit charges, as if they had followed their normal route.

## ARTICLE 76

### **Exemption from Transit Charges**

The correspondence exempt from postage mentioned in Article 49, reply post-cards returned to the country of origin, redirected articles, undelivered articles, advices of delivery, postal money orders, and all other documents relative to the postal service, *e.g.*, communications concerning the postal cheque service, are exempt from all charges for land or sea transit.

## ARTICLE 77

### **Extraordinary Services**

The transit rates specified in Article 75 do not apply to conveyance by means of extraordinary services specially established or maintained by one Administration at the request of one or more other Administrations. The conditions of this class of conveyance are regulated by mutual consent between the Administrations concerned.

## ARTICLE 78

### **Payment and Accounting**

1.—The cost of transit is borne by the Administration of the country of origin.

2.—The general accounting for these expenses is based on data obtained from statistics taken once in every three years, during a period of 14 days. This period is extended to 28 days for mails exchanged less than six times a week by the services maintained by any one country.

The Detailed Regulations fix the period of the statistics and the duration of their application.

3.—Every Administration is authorised to submit for the consideration of a Committee of arbitrators the results of statistics which, in its opinion, differ too much from reality. The arrangements for arbitration are as laid down in Article 11.

The arbitrators are empowered to fix the transit charges proper to be paid.

## ARTICLE 79

### **Exchange of Closed Mails With Ships of War**

1.—Closed mails may be exchanged between the post offices of any one of the contracting countries and the commanding officers of naval divisions or ships of war of the same country stationed abroad, or between the commanding officer of one of those naval divisions or one of those ships of war and the commanding officer of another division or of another ship of the same country, through the medium of the land or sea services maintained by other countries.



2.—Correspondence of every description enclosed in these mails must consist exclusively of such as is addressed to or sent by the officers and crews of the ships to or from which the mails are forwarded; the rates and conditions of despatch applicable to them are settled, according to its internal regulations, by the Postal Administration of the country to which the ships belong.

3.—In the absence of any contrary arrangement between the Administrations concerned, the Administration which despatches or receives the mails in question is accountable to the intermediate Administrations for transit charges calculated in accordance with the provisions of Article 75.

## **Miscellaneous Provisions**

### **ARTICLE 80**

#### **Freedom of Transit: Non-Observance**

When a country does not observe the provisions of Article 26, relating to freedom of transit, Administrations have the right to suppress the postal service with that country. They must give previous notice of this measure, by telegraph, to the Administrations concerned.

### **ARTICLE 81**

#### **Undertakings**

The contracting countries undertake to adopt, or to propose to their respective legislatures the necessary measures:

(a) for punishing the counterfeiting of postage stamps and international reply coupons;

(b) for punishing the fraudulent use of international reply coupons, and the fraudulent use, for the prepayment of correspondence, of counterfeit or used postage stamps as well as of counterfeit impressions of stamping or printing machines or of impressions already used;

(c) for prohibiting and suppressing the fraudulent manufacture, sale, hawking, or distribution of impressed and adhesive stamps in use in the postal service, forged or imitated in such a manner that they could be mistaken for the impressed and adhesive stamps issued by the Administration of any one of the contracting countries;

(d) for punishing the fraudulent manufacture and circulation of postal identity cards, as well as the fraudulent use of these cards;

(e) for preventing and, if necessary, for punishing the insertion of opium, morphine, cocaine and other narcotics in postal packets, unless their insertion is expressly authorised by the Convention and agreements.

## **Final Provisions**

### **ARTICLE 82**

#### **Entry Into Force and Duration of the Convention**

The present Convention shall come into force on the 1st of January, 1935, and shall remain in operation for an indefinite period.

In faith whereof the plenipotentiaries of the Governments of the above-named countries have signed the present Convention in a single copy which shall remain in the Archives of the Government of Egypt and of which a copy shall be delivered to each party.

Done at Cairo, the 20th of March, 1934.

*For Afghanistan:*

*For the Union of South Africa:*

*For M. H. J. LENTON:*

F. G. W. TAYLOR.

F. G. W. TAYLOR.

*For Albania:*

Pan. NASSE.

*For Germany:*

K. ORTH.

K. ZIEGLER.

DR. W. SEEBASS.

*For the United States of America:*

JOHN E. LAMIELL.

*For GEORGE F. SMITH:*

JOHN E. LAMIELL.

*For the whole of the Island Possessions of the United States of America other than the Philippine Islands:*

JOHN E. LAMIELL.

*For GEORGE F. SMITH:*

JOHN E. LAMIELL.

*For the Philippine Islands:*

FELIPE CUADERNO.

*For the Kingdom of Saudi Arabia:*

FAWZAN EL-SABEK.

*For the Argentine Republic:*

R. R. TULA.

*For the Commonwealth of Australia:*

*For ARCHDALE PARKHILL:*

M. B. HARRY.

M. B. HARRY.

*For Austria:*

DR. RUDOLF KUHN.

*For Belgium:*

O. SCHOCKAERT.

E. MONS.

*For the Colony of the Belgian Congo:*

G. TONDEUR.

*For Bolivia:*

ERNESTO CÀCERES.

*For EDMUNDO DE LA FUENTE*

ERNESTO CÀCERES.

*For Brazil:*

C. M. DE FIGUEIREDO.

J. SANCHEZ PEREZ.

*For Bulgaria:*

IV. KATZAROFF.

*For Canada:*

*For ARTHUR SAUVÉ:*

E. J. UNDERWOOD.

*For H. BEAULIEU:*

E. J. UNDERWOOD.

E. J. UNDERWOOD.

*For Chile:*

R. SUAREZ BARROS.

*For China:*

HOO CHI-TSAI.

CHANG HSIN-HAI.

HUANG NAI-SHU.

*For the Republic of Colombia:*

E. ZALDÙA P.

*For the Republic of Costa Rica:*

*Ad Referendum,*

P. MARTINEZ T.

*For the Republic of Cuba:*

ALFREDO ASSIR.

*For Denmark:*

C. MONDRUP.

ARNE KROG.

*For the Free City of Danzig:*

R. STARZYŃSKI.



*For the Dominican Republic:*

LUIS ALEJANDRO AGUILAR.

*For Egypt:*

M. CHARARA.

E. MAGGIAR.

S. A. GHALWASH.

*For Ecuador:*

E. L. ANDRADE.

*For Spain:*

ALONSO CARO.

A. RAMOS.

*For the whole of the Spanish Colonies:*

DEMETRIO PEREDA.

*For Estonia:*

G. E. F. ALBRECHT.

*For Ethiopia:*

ALAMOU Tch.

*For Finland:*

G. E. F. ALBRECHT.

*For France:*

M. LEBON.

L. GENTHON.

P. GRANDSIMON.

A. CABANNE.

DUSSERRE.

*For Algeria:*

E. HUGUENIN.

*For the French Colonies and Protectorates of Indo-China:*

NICOLAS.

*For the whole of the other French Colonies:*

J. CASSAGNAC.

*For the United Kingdom of Great Britain and Northern Ireland:*

F. H. WILLIAMSON.

W. G. GILBERT.

D. O. LUMLEY.

*For Greece:*

V. DENDRAMIS.

J. LACHNIDAKIS.

*For Guatemala:*

VICTOR DURÀN M.

*For the Republic of Haiti:*

*For the Republic of Honduras:*

DR. TUCCIMEI.

*For Hungary:*

GABRIEL BARON SZALAY.

CHARLES DE FORSTER.

*For British India:*

P. N. MUKERJI.

S. C. GUPTA.

MOHD. AL HASAN.

*For Iraq:*

DOUGLAS W. GUMBLEY.

JOS. SHAUL.

*For the Irish Free State:*

P. S. Ò'H-ÈIGEARTAIGH.

S. S. PUIRSÈAL.

*For Iceland:*

C. MONDRUP.

ARNE KROG.

*For Italy:*

PIETRO TOSTI.

GALDI MICHELE.

*For the whole of the Italian Colonies:*

CRETY DONATO.

*For Japan:*

MASAO SEKI.  
T. HARIMA.  
J. KAGEYAMA.

*For Chosen (Korea):*

MASAO SEKI.  
RYUZO KAWAZURA.

*For the whole of the other Japanese  
Dependencies:*

T. HARIMA.  
H. FUJIKAWA.

*For Latvia:*

DR. REINHOLD FURRER.  
LS ROULET.

*For the Levant States under French  
mandate (Syria and Lebanon):*

CIANFARELLI.  
L. PERNOT.

*For the Republic of Liberia:*

*For Lithuania:*

*For Luxemburg:*

*For Morocco (except the Spanish  
Zone):*

H. DUTEIL.

*For Morocco (Spanish Zone):*

A. RAMOS.

*For Mexico:*

P. MARTINEZ T.

*For Nicaragua:*

VICTOR DURÀN M.

*For Norway:*

KLAUS HELSING.  
OSKAR HOMME.

*For New Zealand:*

G. MCNAMARA.

*For the Republic of Panama:*

E. ZALDÙA P.

*For Paraguay:*

R. R. TULA.

*For the Netherlands:*

DUYNSTEE.  
V. GOOR.

*For Curaçao and Surinam:*

HOOGEWOONING.

*For the Dutch East Indies:*

PERK.  
BRIL.  
HOOGEWOONING.

*For Peru:*

ERNESTO CÀCERES.

*For EDMUNDO DE LA FUENTE.*

ERNESTO CÀCERES.

*For Persia:*

S. A. RAD.  
R. ARDJOMENDE.

*For Poland:*

R. STARZYŃSKI.

*For Portugal:*

A. DE Q. R. VAZ PINTO.  
A. C. BIANCHI.

*For the Portuguese Colonies in West  
Africa:*

ERNESTO JULIO NAVARRO.

*For the Portuguese Colonies in East  
Africa, Asia, and Oceania:*

MARIO CORRÊA BARATA DA  
CRUZ.

*For Roumania:*

ILARIU MANEANU.  
CONST. STEFANESCU.

*For the Republic of San Marino:*

CRETY DONATO.

*For the Republic of El Salvador:*

*For the Territory of the Sarre:*

*For Siam:*

*For Sweden:*

ANDERS ÖRNE.  
GUNNAR LAGER.  
ARVID BILDT.

*For the Swiss Confederation:*

DR. REINHOLD FURRER.  
LS ROULET.

*For Czechoslovakia:*

VACLAV KUCERA.  
JOSEF RADA.

*For Tunis:*

H. DUTEIL.

*For Turkey:*

YUSUF ARIFI.  
M. SAKIN.  
M. TEVFIK.

*For the Union of Soviet Socialist Republics:*

DR. EUGÈNE HIRSCHFELD.  
DR. S. RAPOPORT.  
HEL. SEREBRIAKOVA.

*For the Eastern Republic of Uruguay:*

ARTURO C. MASANÈS.

*For the State of the City of the Vatican:*

MGR. GIUSEPPE MAZZOLI.

*For the United States of Venezuela:*

LUIS ALEJANDRO AGUILAR.

*For Yemen:*

*For the Kingdom of Yugoslavia:*

KOSTA ZLATANOVITCH.

The delegation of the Union of South Africa declares that the present Convention applies to the mandated Territory of South West Africa.

Cairo, March 20, 1934.

*For M. H. J. LENTON:*

F. G. W. TAYLOR.

F. G. W. TAYLOR.

The delegation of the Commonwealth of Australia declares that the present Convention applies to Overseas Territories or mandated Territories given below:

Lord Howe Island.  
Nauru.  
Norfolk Island.  
Papua.

The Territory of New Guinea and the other Territories of the Pacific Ocean under the mandate of the Commonwealth of Australia.

Cairo, March 20, 1934.

*For ARCHDALE PARKHILL:*

M. B. HARRY.

M. B. HARRY.

The delegation of Great Britain and Northern Ireland declares that the present Convention applies to Colonies, Overseas Territories, Protectorates or Territories under suzerainty or mandate given below:

Newfoundland.  
Southern Rhodesia.  
South African High Commission Territories:  
    (a) Bechuanaland (Protectorate),  
    (b) Basutoland,  
    (c) Swaziland.  
Bahama (Islands).  
Barbados.  
Bermuda.  
British Guiana.  
British Honduras.  
Ceylon.  
Cyprus.  
Falkland (Islands and Dependencies).  
Fiji (Islands).  
Gambia (Colony and Protectorate).  
Gibraltar.  
Gold Coast:  
    (a) Colony,  
    (b) Ashanti,  
    (c) Northern Territories,  
    (d) Togoland under British mandate.  
Hong Kong.  
Jamaica (including Turks, Caicos and Cayman Islands).  
Kenya (Colony and Protectorate).

Leeward Islands:  
    Antigua.  
    Dominica.  
    Montserrat.  
    St. Christopher and Nevis.  
Virgin (Islands).  
Malay States:  
    (a) Federated Malay States:  
        Negri Sembilan.  
        Pahang.  
        Perak.  
        Selangor.  
    (b) Unfederated Malay States:  
        Johore.  
        Kedah.  
        Kelantan.  
        Perlis.  
        Trengganu.  
        Brunei.  
Malta.  
Mauritius.  
Nigeria:  
    (a) Colony,  
    (b) Protectorate,  
    (c) Cameroon under British mandate.

North Borneo (State).  
 Northern Rhodesia.  
 Nyasaland (Protectorate).  
 Palestine and Transjordan.  
 St. Helen and Ascension.

Sarawak.  
 Seychelles.  
 Sierra Leone (Colony and Protector-  
 ate).  
 Somaliland (Protectorate).  
 Straits Settlements.  
 Tanganyika (Territory).

Trinity and Tobago.

Uganda (Protectorate).

Western Pacific Islands:

Salomon (Islands) (Protectorate).

Gilbert and Ellice (Islands) (Col-  
 ony).

Tonga.

Windward Islands:

Grenada.

St. Lucia.

St. Vincent.

Zanzibar (Protectorate).

Cairo, March 20, 1934.

F. H. WILLIAMSON.

W. G. GILBERT.

D. O. LUMLEY.

The delegation of New Zealand declares that the present Convention includes the mandated Territory of Western Samoa.

Cairo, March 20, 1934.

G. MCNAMARA.



## FINAL PROTOCOL OF THE CONVENTION

At the moment of proceeding to sign the Universal Postal Convention concluded this day, the undersigned plenipotentiaries have agreed as follows:—

### I

#### Withdrawal of Correspondence. Modification of Address

The provisions of Article 51 do not apply to Great Britain and to the British Dominions, Colonies and Protectorates, whose internal legislation does not permit the withdrawal or the modification of the address of correspondence at the request of the sender.

### II

#### Equivalents: Maximum and Minimum Limits

1. Each country has the right to increase up to 40 per cent or to reduce by as much as 20 per cent the postage rates prescribed by Article 34, § 1, as indicated in the following table:—

	Lower limit (gold value)	Higher limit (gold value)
Letters—	Centimes	Centimes
first unit.....	20	35
each succeeding unit.....	12	21
Post-cards—		
single.....	12	21
reply-paid.....	24	42
Commercial papers (per 50 grammes).....	4	7
minimum charge.....	20	35
Printed papers (per 50 grammes).....	4	7
Blind literature (per 1,000 grammes).....	2·4	4·2
Samples of merchandise (per 50 grammes).....	4	7
minimum charge.....	8	14
Small packets (per 50 grammes).....	8	14
minimum charge.....	40	70

The rates adopted must, as far as possible, maintain the same proportions to one another as the basic rate, each Administration being empowered to round up its rates to suit its currency.

2. It is open to any country to reduce to 10 centimes the postage on a single post-card and to 20 centimes that on a reply-paid post-card.

3. The rates adopted by a country apply to the charges to be collected on unpaid or insufficiently prepaid inward correspondence.

### III

#### Ounce Avoirdupois

As an exceptional measure, it is agreed that countries which, by reason of their internal regulations, are unable to adopt the metric-decimal system of weight, are empowered to substitute for it the ounce avoirdupois (28·3465 grammes) taking one ounce as equivalent to 20 grammes for letters, and two ounces as equivalent to 50 grammes for commercial papers, printed papers and small packets.

### **Posting of Correspondence Abroad**

No country is bound to forward, nor to deliver to the addressees, correspondence which the senders domiciled in its territory post or cause to be posted in a foreign country with the object of profiting by the lower rates in force there. The rule is applied without distinction both to correspondence made up in the country where the sender resides and then carried across the frontier, and to correspondence made up in a foreign country. The Administration concerned is empowered either to return to origin the articles in question, or to tax them at its inland rates. The method of collecting the charges is left to its discretion.

### **V**

### **Reply Coupons**

Administrations have the right not to undertake the sale of reply coupons.

### **VI**

### **Registration Fee**

Countries which cannot fix at 40 centimes the registration fee prescribed by Article 54, § 2, of the Convention are authorized to charge a fee which may amount to 50 centimes or to the charge fixed for their inland service.

### **VII**

### **Air Services**

The provisions regarding the conveyance of letter mails by air are annexed to the Universal Postal Convention and are considered as forming an integral part of it and of its Detailed Regulations.

But, notwithstanding the general rules of the Convention, the modification of these provisions may be considered from time to time by a Conference composed of the representatives of the Administrations directly concerned.

This Conference may be summoned by the intermediary of the International Bureau at the request of at least three of these Administrations.

The whole of the provisions proposed by this Conference must be submitted, by the intermediary of the International Bureau, to the vote of the countries of the Union. The decision will be taken by a majority vote.

### **VIII**

### **Special Transit Rates by the Trans-Siberian and the Transandine Railways**

In modification of the provisions of Article 75, § 1 (Table), the Postal Administration of the Union of Socialist Soviet Republics is authorised to collect transit rates for the Trans-Siberian Railway for both routes (Manchuria or Vladivostok) at the rate of Fr. 4.50 per kilogramme for letters and post-cards and Fr. 0.50 per kilogramme for other articles for distances exceeding 6,000 kilometres.

The Administration of the Argentine Republic is authorised to collect a fee of 30 centimes per kilogramme over and above the transit rates mentioned in Article 75, § 1 (1°) of the Convention, in respect of correspondence of all kinds forwarded in transit by the Argentine section of the Transandine Railway.

## IX

**Special Transit Rates for the Eastern Republic of Uruguay**

Exceptionally, the Eastern Republic of Uruguay is authorised to collect for all over-sea mails landed at Montevideo which it forwards by its own services to countries beyond, the land transit rates prescribed by Article 75, *i.e.*, 60 centimes per kilogramme of letters and post-cards and 8 centimes per kilogramme of other articles.

## X

**Special Warehousing Charges at Aden**

As an exceptional measure, the Administration of British India is authorised to collect a fee of 40 centimes per bag for all bags warehoused at Aden, provided that the Administration of British India does not receive payment for a land or sea transit in respect of the bags in question.

## XI

**Special Transshipment Charges**

Exceptionally, the Portuguese Administration is authorised to collect 40 centimes per bag on all the mails transhipped at the port of Lisbon.

## XII

**Protocol Left Open to the Countries not Represented**

As Afghanistan, the Republic of Hayti, the Republic of Liberia, Luxemburg, the Republic of El Salvador, the Territory of the Sarre, Siam and Yemen, which form part of the Postal Union, were not represented at the congress, the Protocol remains open to them in order to adhere to the Convention and the Agreements there concluded, or only to one or other of them.

## XIII

**Protocol Left Open to the Countries Represented for Signatures and Adhesions**

The Protocol remains open to those countries whose representatives have to-day signed only the Convention, or only a certain number of the Agreements drawn up by the Congress, in order to permit them to adhere to the other Agreements signed this day, or to one or other of them.

## XIV

**Period for the Notification of Adhesions**

The adhesions referred to in Article XII and XIII must be notified diplomatically by the respective Governments to the Government of Egypt, and by it to the other States of the Union. The period allowed to the said Governments for this notification will expire on the 1st of January, 1935.

In faith whereof the undermentioned plenipotentiaries have drawn up the present Protocol which shall have the same force and validity as if the provisions which it contains were inserted in the text itself of the Convention to which it relates, and they have signed it in a single copy which shall remain in the Archives of the Government of Egypt and of which a copy shall be delivered to each party.

Done at Cairo, the 20th of March, 1934.

*[Here follow the signatures. They are the same as for the Convention.]*

# DETAILED REGULATIONS FOR THE EXECUTION OF THE UNIVERSAL POSTAL CONVENTION

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\* Not published.



## DETAILED REGULATIONS FOR THE EXECUTION OF THE UNIVERSAL POSTAL CONVENTION

The undersigned, having regard to Article 4 of the Universal Postal Convention concluded at Cairo on the 20th of March, 1934, have, in the name of their respective Administrations, settled by mutual consent the following measures for ensuring the execution of the said Convention:

### PART I

#### General Provisions

#### CHAPTER I

#### ARTICLE 101

##### **Transit in Closed Mails and à découvert**

Administrations may send reciprocally through the medium of one or more of them, both closed mails and correspondence *à découvert*, according to the needs of the traffic and the requirements of the service. The transmission of correspondence *à découvert* to an intermediate Administration must be strictly limited to cases where the making up of closed mails is not justified.

#### ARTICLE 102

##### **Exchange in Closed Mails**

1.—The exchange of correspondence in closed mails is regulated by mutual consent between the Administrations concerned.

The making up of closed mails is obligatory whenever a request to that effect is made by one of the intermediate Administrations on the ground that the amount of correspondence sent *à découvert* is such as to hinder its work.

2.—The Administrations through whose services closed mails are to be forwarded must be given suitable notice.

3. In case of alteration in an exchange of closed mails established between two Administrations through the medium of one or more other countries, the Administration which has originated the alteration notifies it to the Administrations of these countries.

#### ARTICLE 103

##### **Routing of Mails**

1.—Each Administration is bound to forward, by the most rapid routes that it uses for its own mails, closed mails and correspondence *à découvert* which are delivered to it by another Administration.

When a mail is composed of several bags, these bags must as far as possible be kept together and be forwarded by the same despatch.

Mis-sent correspondence of all kinds is re-forwarded to destination, without delay, by the quickest route.

2.—The Administration of the country of origin is entitled to prescribe the route to be followed by the closed mails which it sends, provided that the use of that route does not entail special expense on an intermediate Administration.

Subject to the same reservation, the transmitting Administrations must take account of the route indicated by the sender on articles forwarded to them *à découvert*.

3.—Administrations which avail themselves of the power to levy supplementary charges, as representing the extraordinary expenses pertaining to certain routes, are at liberty not to forward unpaid or insufficiently paid correspondence by those routes.

#### ARTICLE 104

##### **Distant Countries**

1.—Countries between which the time taken in transmission by the most rapid land or sea route exceeds ten days as well as those between which the average frequency of service is less than twice a month are considered as distant countries.

2.—As regards the fixing of the periods prescribed by the Convention and Agreements, countries of vast extent or those with undeveloped lines of communication in the interior are treated as distant countries for questions in which these factors play a decisive part.

3.—The International Bureau draws up the list of the countries referred to in § § 1 and 2.

#### ARTICLE 105

##### **Fixing of Equivalents**

1.—Administrations fix the equivalents of the postage rates and fees laid down by the Convention and Agreements in agreement with the Swiss Postal Administration whose duty it is to notify the equivalents through the International Bureau. The same procedure is followed in the case of alteration of equivalents.

The equivalents or any alteration of equivalents can only enter into force on the first day of a month and at the soonest fifteen days after their notification by the International Bureau.

The International Bureau draws up a table indicating, for each country, the equivalents of the postage rates and fees mentioned in the first paragraph and showing, if necessary, the percentage increase or decrease of the rate applied in virtue of Article II of the Final Protocol to the Convention.

2.—Monetary fractions resulting from the surcharge on insufficiently paid correspondence may be rounded up by the Administrations which collect the Charges. The sum to be added on this account may not exceed the value of 5 centimes.

3.—Each Administration notifies directly to the International Bureau the equivalent which it has fixed of the compensation prescribed by Article 56 of the Convention.

#### ARTICLE 106

##### **Postage Stamps and "Postage Paid" Impressions**

1.—The postage stamps representing the basic rates of the Union or their equivalents in the currency of each country are printed in the following colours:

- in blue, the stamp representing the postage on a single-rate letter;
- in red, the stamp representing the postage on a post-card;
- in green, the stamp representing the postage for a single unit of weight of printed papers.

Impressions produced by postal franking machines must be bright red in colour, whatever the value represented by them.

2.—Postage stamps and impressions of postal franking machines must include, as far as possible in Roman characters, an indication of the country of origin, and mention their postage value according to the table of equivalents adopted. The number of monetary units or fractions of the unit used to express this value is indicated in Arabic figures.

As regards printed papers prepaid by means of impressions obtained from the printing press, or by any other process (Article 47 of the Convention), the indication of the country of origin and the amount prepaid may be replaced by the name of the office of origin and the mention "*Taxe perçue*" (Charge collected), "*Port Payé*" (Postage paid) or a similar expression. This expression may be in French or in the language of the country of origin; it may also be in abridged form, *i.e.*, "T.P." or "P.P." In every case, the indication used must be encircled or heavily underlined.

3.—Commemorative stamps or charity stamps, for which a supplementary charge is to be paid independently of their postage value, must be produced in such a way as to leave no doubt about the latter.

4.—Postage stamps may be specially perforated by means of a punch, subject to the conditions prescribed by the Administration issuing them.

## PART II

### Conditions of Acceptance of Correspondence

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#### CHAPTER I

#### Regulations Applicable to all Classes of Articles

##### ARTICLE 107

##### Make up and Address

1.—Administrations must recommend the public:

(a) to address postal packets in Roman characters, parallel to the length of the article in such a manner as to leave the necessary space for the service indications and labels;

(b) to indicate the address precisely and completely so that transmission and delivery to the addressee can be effected without enquiry;

(c) to affix postage stamps or the impressions of postal franking machines in the top right-hand corner of the address side;

(d) to indicate the name and address of the sender either on the front and preferably on the left-hand side in such a manner as not to obscure the address nor prevent the application of the service indications or labels, or on the back;

(e) to use for packets of all classes, covers of which the size is not less than 10 cm. in length and 7 cm. in width;

(f) to make up packets in a secure manner, particularly if they are intended for distant countries;

(g) as regards articles sent at the reduced rate, to indicate by descriptions, such as "commercial papers," "printer papers," "sample," "small packets," etc., the class to which they belong.

2.—Articles of all classes, of which the whole or part of the address side has been marked off into several divisions intended to contain successive addresses, are not admitted.

3.—Stamps other than postage stamps, stamps in aid of charitable objects, and others which might be mistaken for postage stamps must not be affixed to the address side. The same rule applies to impressions of stamps which might be mistaken for impressions of postal franking machines.

4.—Correspondence on postal service sent free of postage must bear on the front the note "*Service des postes*" (Postal Service) or a similar indication.

##### ARTICLE 108

##### *Poste Restante*

The address of articles addressed "*poste restante*" must give the name of the addressee. The use of initials, figures, christian names without surnames, fictitious names or conventional marks of any kind is not admitted for these articles.



## ARTICLE 109

**Panel Envelopes**

1.—Articles in envelopes with a transparent panel are admitted under the following conditions:

(a) the transparent panel must be parallel to the length of the envelope, so that the address of the addressee appears in the same direction and the application of the date-stamp is not interfered with;

(b) the panel must be sufficiently transparent for the address to be perfectly legible, even in artificial light, and must take writing; panel envelopes of which the transparent portion reflects artificial light are excluded;

(c) only the name and address of the addressee must show through the panel, and the contents of the envelope must be folded so that the address cannot be obscured, wholly or partly, through slipping;

(d) the address must be legibly indicated in ink or typewriting; articles addressed in lead pencil or copying-ink pencil are not admitted.

2.—Articles in envelopes entirely transparent or in envelopes with an open panel are not admitted.

## ARTICLE 110

**Articles Subject to Customs Control**

1.—Articles to be submitted to customs control must bear on the front a green label identical with Form C1 annexed. In the case of small packets this label must be affixed without exception.

The articles referred to in the preceding paragraph are also accompanied, if the country of destination requires or if the sender prefers, by separate customs declarations to the prescribed number identical with Form C2 annexed; these declarations are securely fastened to the outside of the article by a string tied crosswise or inserted in the article. In the latter case, only the upper part of the label C1 is affixed to the article.

2.—The Administrations accept no responsibility for the customs declarations, in whatever form they are prepared.

## ARTICLE 111

**Articles Free of Charges**

1.—Articles to be delivered to the addressees free of all charges must bear clearly on the front the heading "*Franc de droits*" (Free of charges) or a similar indication in the language of the country of origin. These articles are provided, on the address side, with a yellow label also bearing in large characters the indication "*Franc de droits*."

2.—Every article sent free of charges is accompanied by a franking note identical with Form C3 annexed, printed on yellow cardboard and of which the front is filled up by the despatching office. The franking note is securely attached to the article.



## CHAPTER II

**Special Regulations Applicable to Each Class of Article**

## ARTICLE 112

**Letters**

No conditions as to form or make-up are prescribed for letters, except that the regulations specified in Article 109 must be observed. The space on the front necessary for the prepayment, the address and the service indications or labels must be left entirely free.

## ARTICLE 113

**Single Post-Cards**

1.—Post-cards must be made of cardboard or of paper stout enough to be easily handled.

They must bear on the address side the heading "*Carte postale*" in French, or the equivalent of this heading in another language. This heading is not obligatory for post-cards of private manufacture.

2.—Post-cards must be sent unenclosed, that is to say, without wrapper or envelope.

3.—The right-hand half at least of the address side is reserved for the address, for indications relating to the postal service, and for official labels; postage stamps and postal franking machine impressions must be placed on the address side and, as far as possible, on the right-hand half of the card. The sender may make use of the back and of the left-hand half of the address side, subject to the provisions of § 4 below.

4.—It is forbidden to join or attach to post-cards samples of merchandise or similar articles. Nevertheless, illustrations, photographs, stamps of any kind, labels and cuttings of any kind, in paper or other very thin substance, as well as address labels or slips to fold back for address purposes, may be affixed to them, provided that these articles are not of such nature as to alter the character of the post-cards, and that they adhere completely to the card. These articles may only be affixed to the back or to the left-hand half of the address side of post-cards, with the exception of address labels or slips, which may occupy the whole of the address side. Stamps of all kinds liable to be mistaken for postage stamps may be affixed only to the back.

5.—Post-cards which do not comply with the conditions laid down for this class of correspondence are treated as letters.

## ARTICLE 114

**Reply-Paid Post-Cards**

1.—Reply-paid post-cards must bear on the face in French, as heading on the first half, the words "*Carte postale avec réponse payée*," on the second half "*Carte postale-réponse*." Each of the two halves must, moreover, comply with the other conditions laid down for single post-cards; one half is doubled over the other so that the fold forms the upper edge and they may not be closed in any way.

2.—The address of the reply half must be on the inside.

The sender of a reply-paid post-card may indicate his name and address on the face of the reply half.

The sender is also allowed to print on the back of the reply half a questionnaire to be filled up by the addressee.

3.—The prepayment of the reply half by means of the postage stamp of the country which has issued the card is valid only if the two halves of the reply-paid post-card were attached to each other when received from the country of origin, and if the reply half is despatched from the country where it has been received by post to the said country of origin.

If these conditions are not complied with, it is treated as an unpaid post-card.

## ARTICLE 115

### Commercial Papers

1.—The following are considered as Commercial Papers, provided that they have not the character of current and personal correspondence: all papers and all documents wholly or partly written or drawn, such as correspondence—open letters and post-cards—which is out-of-date and has already fulfilled its original purpose and copies thereof, papers of legal procedure, documents of all kinds drawn up by public functionaries, way bills or bills of lading, invoices, certain documents of insurance companies, copies of or extracts from deeds under private seal, written on stamped or unstamped paper, musical scores or sheets of music in manuscript, the manuscripts of works or of newspapers forwarded separately, pupils' exercises in original or with corrections, but without any note which does not relate directly to the execution of the work.

These documents may be accompanied by reference slips or statements showing the following or similar particulars: list of the papers included in the packet, references to correspondence exchanged between the sender and the addressee, such as:

“ Annex to our letter of . . . . . to Mr. . . . . Our reference . . . . . Your reference . . . . . ”

Out of date correspondence may bear the obliterated postage stamps which served for the original postage.

2.—Commercial Papers are subject, so far as regards form and make-up, to the regulations laid down in Article 119 below for Printed Papers.

## ARTICLE 116

### Printed Papers

1.—The following are considered as Printed Papers:—Newspapers and periodicals, books, pamphlets, sheets of music, visiting cards, address cards, proofs of printing, engravings, photographs and albums containing photographs, pictures, drawings, plans, maps, paper patterns, catalogues, prospectuses, advertisements, and notices of various kinds, printed, engraved, lithographed or mimeographed, and, in general, all impressions or copies obtained upon paper or similar material, parchment, or cardboard by means of printing, engraving, lithography, mimeography, or any other mechanical process easy to recognise except the copying-press, hand-stamps, with or without moveable type, and the typewriter.

2.—The Printed Paper rate is not applicable to printed papers which bear any marks whatever capable of constituting a conventional language, nor, save the exceptions specifically authorised by Articles 117 and 118 below, to those of which the text has been modified after printing.

3.—Cinematograph films, gramophone records, as well as perforated sheets intended to be used with automatic musical instruments cannot be sent at the Printed Paper rate.

The same applies to articles of stationery, properly so-called, when it is clearly evident that the printed portion is not the essential part of the article.

4.—Cards bearing the heading "*Carte Postale*" or the equivalent of this heading in any language are admitted at the rate for Printed Papers, provided that they conform to the general conditions applicable to Printed Papers. Those which do not fulfil these conditions are treated as post-cards or letters, as the case may be, under the provisions of Article 113, § 5.

#### ARTICLE 117

##### Articles Specially Admitted at Printed Paper Rate

The following are treated as Printed Papers if they are posted in accordance with the inland regulations of the Administration of origin and to the number of at least 20 packets containing precisely identical copies: reproductions by a mechanical manifolding process, such as hectography, etc., of a manuscript or typewritten original. The manuscript additions authorised for Printed Papers may also be made to these reproductions.

#### ARTICLE 118

##### Printed Papers. Authorised Annotations

1.—It is permissible, outside or inside a packet of Printed Papers:

(a) to indicate the name, position, profession, style, and address of the sender and of the addressee, as well as the date of despatch, the signature, telephone number, telegraphic address and code, the postal cheque or banking account of the sender, as well as a serial or identity number referring solely to the article;

(b) to correct errors in printing;

(c) to strike out, to underline, or to enclose by marks, certain words or certain parts of a printed text, unless this is done with the object of constituting correspondence.

2.—It is also allowed to indicate or to add:

(a) in advices of the departures and arrivals of ships:  
the dates and times of departures and arrivals, as well as the names of the ships and the ports of departure, call and arrival;

(b) in travellers' advices:  
the name of the traveller, the date, time and place of his intended visit, and the address at which he is staying;

(c) in forms of order or subscription for publications, books, newspapers, engravings, pieces of music:

the works and the number of copies required or offered, the price of these works, also notes representing essential elements of price, the method of payment, the edition and the names of the authors and publishers, as well as the number of the catalogue and the words "*broché*" (paper covers), "*cartonné*" (stiff covers) or "*relié*" (bound);

(d) on pictorial cards and printed visiting cards and also on Christmas and New Year cards:

good wishes, congratulations, thanks, condolences, or other formulas of courtesy, expressed in five words or by means of five conventional initials at most;



(e) in proofs of printing:

alterations and additions concerned with corrections, form and printing, and also notes such as "*Bon à tirer*" (Passed for press), "*Vu—Bon à tirer*" (Read—Passed for press) or any similar note concerned with the execution of the work. In case of want of space these additions may be made on separate sheets;

(f) in fashion plates, maps, &c.:  
colours;

(g) in price-lists, tenders for advertisements, stock and share lists, market quotations, trade circulars and prospectuses:

figures;

any other notes representing essential elements of the price;

(h) on books, pamphlets, newspapers, photographs, engravings, sheets of music, and in general on all literary or artistic productions, printed, engraved, lithographed or mimeographed:

a dedication consisting simply of an expression of regard and, on photographs, a very concise description, as well as a short note referring to the photograph;

(i) on cuttings from newspapers and periodicals:

the title, date, number, and address of the publication from which the article is extracted.

3.—The additions and corrections permitted under §§ 1 and 2 may be made by hand or by any mechanical process.

4.—It is, moreover, allowed to enclose:

(a) with proofs of printing, whether corrected or not:  
the relative "copy";

(b) with articles of the categories mentioned under § 2 (h):  
the relative open invoice, reduced to its essential elements.

(c) in all printed paper packets:

a card, envelope or a wrapper bearing the address of the sender of the packet, stamped for the purpose of its return, by means of postage stamps of the country of destination of the packet.

## ARTICLE 119

### Printed Papers. Make-Up

1.—Printed Papers must be either placed in wrappers, upon rollers, between boards, in open cases, or in unclosed envelopes, furnished, if necessary, with clips, easy to raise and replace and not dangerous, or secured with a string easy to untie.

2.—Printed Papers of the form and substance of a card may be sent unenclosed without band, envelope or fastening. The same method of despatch is allowed for Printed Papers folded in such a way that they cannot become unfolded during transmission.

3.—Cards, including picture post-cards, sent as printed papers at the reduced rate are subject to the provisions of Article 113, § 3.

4.—In all cases, articles must be made up in such a manner that there is no risk of their entrapping other articles.

## ARTICLE 120

### Samples. Authorised Annotations

It is permissible to indicate by hand or by a mechanical process, outside or inside packets containing samples, the name, position, profession, firm and

address of the sender and of the addressee, as well as the date of despatch, the signature, telephone number, telegraphic address and code, postal cheque or banking account of the sender, a manufacturer's or trade mark, numbers, prices and notes representing the essential elements of price, particulars relating to weight, measurement and size, or to the quantity to be disposed of, and such as are necessary to determine the origin and the character of the goods.

## ARTICLE 121

### Samples. Make-Up

1. Samples of merchandise must be placed in bags, boxes or removable covers.

2.—Articles of glass or other fragile materials, packets containing liquids, oils, fatty substances, dry powders, whether dyes or not, as well as packets of live bees, leeches, and of silk-worm eggs are transmissible as samples of merchandise, provided that they are packed in the following manner:

(a) articles of glass or other fragile materials must be securely packed (boxes of metal, wood, or strong corrugated cardboard) so as to prevent all danger to postal officers and to correspondence;

(b) liquids, oils, and substances which easily liquefy must be enclosed in receptacles hermetically sealed. Each receptacle must be placed in a special box of metal, strong wood or strong corrugated cardboard containing sawdust, cotton, or spongy material in sufficient quantity to absorb the liquid in the event of the breakage of the receptacle. The lid of the box must be fixed in such a manner that it cannot easily become detached;

(c) fatty substances which do not easily liquefy, such as ointments, soft-soap, resin, etc., as well as silk-worm eggs, the transmission of which presents fewer difficulties, must be enclosed in an inner cover (box, bag of linen or parchment, &c.), which must itself be placed in a second box of wood, metal, or stout thick leather;

(d) dry colouring powders such as aniline blue, &c., are not admitted unless enclosed in stout tin boxes, placed inside wooden boxes with sawdust between the two covers. Dry non-colouring powders must be placed in boxes of metal, wood, or cardboard; these boxes must be themselves enclosed in a bag of linen or parchment;

(e) live bees and leeches must be enclosed in boxes so constructed as to avoid all danger.

3.—Articles which would be spoilt if packed according to the general rules may exceptionally be admitted in a cover hermetically sealed. In that case, the Administrations concerned may require the sender or the addressee to assist in the check of the contents, either by opening certain packets indicated by them, or in some other satisfactory manner.

4.—Packing is not obligatory for articles consisting of one piece, such as pieces of wood, metal, &c., which it is not the custom of the trade to pack.

5.—The address of the addressee must be indicated, as far as possible, on the packing or on the article itself. If the packing or the article is not suitable for the inscription of the address and service indications or for affixing the postage stamps, a tie-on label, preferably of parchment, must be securely attached. The same applies when the date-stamping is likely to injure the article.



## ARTICLE 122

**Articles Specially Admitted at Sample Rate**

Transmission at the sample rate is accorded to printers' blocks, keys sent singly, fresh-cut flowers, articles of natural history (dried or preserved animals and plants, geological specimens, &c.), tubes of serum or of vaccine and pathological objects rendered harmless by their mode of preparation and packing. These articles, except tubes of serum and of vaccine sent in the general interest by laboratories or institutions officially recognised, may not be sent for a commercial purpose. Their packing must be in accordance with the general regulations concerning samples of merchandise.

## ARTICLE 123

**Articles Grouped Together**

1.—The enclosure of different classes of correspondence in one and the same packet is limited to Commercial Papers, Printed Papers, except printed papers intended for the blind, and to Samples of merchandise, subject to the following conditions:—

(a) that each article taken singly does not exceed the limits which are applicable to it as regards weight and size;

(b) that the total weight does not exceed 2 kilogrammes per packet;

(c) that the charge paid is at least the minimum charge for Commercial Papers if the packet contains Commercial Papers and the minimum charge for Samples if it consists of printed matter and Samples.

2.—These regulations are applicable solely to articles subject to the same basic rate of postage. When an Administration observes the enclosure in the same packet of articles subject to different postage rates, the packet is charged on its total weight at the rate applicable to the class subject to the highest tariff.

## ARTICLE 124

**Small Packets**

1.—Small packets are subject to the regulations laid down for samples of merchandise as regards their make-up and packing.

2.—It is permissible to enclose an open invoice reduced to its essential elements, as well as a copy of the address borne by the article and particulars of the address of the sender.

3.—The name and address of the sender must be shown on the outside of the packet.

## PART III

### Registered Articles. Advice of Delivery

#### CHAPTER I

##### ARTICLE 125

#### Registered Articles

1.—Registered articles must be conspicuously marked "*Recommandé*" at the head of the address side, or bear a similar indication in the language of the country of origin.

Apart from the exceptions below no special condition as to form, make-up or address is prescribed for these articles.

2.—Correspondence bearing an address in pencil or composed of initials, is not admitted to registration.

However, the address of articles other than those sent in an envelope with a transparent panel may be written in copying-ink pencil.

3.—Registered articles must bear in the upper left-hand corner of the address side a label identical with Form C4 annexed, showing in Roman characters the letter "R," the name of the office of origin and the serial number of the article.

Nevertheless, Administrations whose inland regulations do not at present permit of the use of labels may postpone the introduction of this arrangement, and distinguish registered articles by using stamps "*Recommandé*" or "R," by the side of which must appear the name of the office of origin and the serial number. These stamps also must be impressed in the upper left-hand corner of the address side.

4.—No serial number may be placed on the address side of a registered article by an intermediate Administration.

##### ARTICLE 126

#### Advice of Delivery

1.—Articles for which the sender requires an advice of delivery must be conspicuously marked on the address side with the words "*Avis de réception*," or be stamped with the letters "A.R."

2.—They are accompanied by a form of the thickness of a post-card, light red in colour, identical with Form C5 annexed; this form is made out by the office of origin or by any other office which the despatching Administration may appoint, and is securely attached to the outside of the article. If it does not reach the office of destination, the latter makes out a new advice of delivery.

3.—The office of destination returns form C5 duly filled up, in the ordinary mail, unenclosed and free of postage, to the address of the sender of the article.

4.—When the sender enquires for an advice of delivery which has not been returned to him after a proper interval, enquiry is instituted in accordance with the rules laid down in Article 127, below. In this case a second fee is not charged and the office of origin enters at the top of the form C5 the note "*Duplicate de l'avis de réception*, etc."

##### ARTICLE 127

#### Advice of Delivery Applied for After Posting

1.—When the sender applies for an advice of delivery after the article has been posted, the office of origin fills up a form C5.

The form C5 is attached to an enquiry form C13 (*See Article 151 hereafter*); this enquiry form, to which is affixed a postage stamp representing the fee due, is treated as provided in Article 151 except that, in the case of the due delivery of the article, the office of destination withdraws the form C13 and returns to origin form C5 in the manner prescribed by Article 126, § 3.

2.—The special arrangements adopted by Administrations in virtue of Article 151 hereafter, for the transmission of enquiries respecting registered articles, are applicable to requests for advices of delivery made after the articles have been posted.

## PART IV

### Cash on Delivery Packets

#### CHAPTER I

##### ARTICLE 128

#### Particulars to be Shown on the Packet

1.—Registered articles marked with trade charges must bear conspicuously on the address side the heading “*Remboursement*,” followed by the amount of the trade charge expressed in words in Roman characters, and in Arabic figures, without erasure or correction, even if certified.

2.—The sender must give on the front of the packet, his name and address in Roman characters. When the sum collected is to be paid into a postal cheque account in the country of destination or of origin the packet must bear in addition, on the address side, the following statement in French or in another language known in the country of destination:

“*A porter au crédit du compte courant postal No. .... de M. ....*  
*à ..... tenue par le bureau de chèques d .....*”  
(To be placed to the credit of postal cheque account No. .... of Mr. ....  
at ..... kept by the postal cheque office of .....).

##### ARTICLE 129

#### Label

Articles marked with trade charges must bear on the address side an orange-coloured label corresponding exactly to Form C6 annexed. The label C4 prescribed by Article 125, § 3, or the alternative special stamp impression must be placed as near as possible at the upper angle of label C6.

It is permissible, however, for Administrations to use, in place of the two labels mentioned in the preceding paragraph, a single label identical with C7 annexed, bearing the name of the office of origin and the letter “R” in Roman characters, the serial number of the article and an orange-coloured triangle with the word “*Remboursement*.”

##### ARTICLE 130

#### Trade Charge Money Order

Except as provided in Article 131 hereafter, every packet marked with a trade charge is accompanied by a trade charge money order form of stout card, light green in colour, identical with or similar to Form C8 annexed. This form must show as a general rule the sender of the packet as payee of the money order. When the regulations of the Administration of origin allow, the sender has the option of indicating under this heading, in place of his address, the holder and the number of a postal cheque account held in the country of origin, also the office at which the account is kept. Each Administration is free to have the money orders relating to the packets originating in its service addressed to the offices of origin of the packets or to other of its offices.

The form is securely attached to the article to which it relates.



## ARTICLE 131

**Payment Into Postal Cheque Account in the Country of Destination of the Packet**

Every packet on which the amount collected has to be paid into a postal cheque account in the country of destination is accompanied, in the absence of arrangements to the contrary, by a transfer note identical with the form prescribed in the inland service of that country. The note must show the holder of the account to be credited and contain all the other details required by the text of the form, except the amount to be credited which will be entered by the Administration of destination after collection of the amount of the trade charge. If the transfer note is provided with a coupon, the sender enters on it his name and address, as well as the other details which he considers necessary.

The transfer note is securely attached to the packet.

## ARTICLE 132

**Conversion of the Amount of Trade Charges**

Unless a different arrangement is made, the amount of the trade charge expressed in the money of the country of origin of the packet is converted into the currency of the country of destination by the Administration of that country, which uses the same rate of conversion as it uses for the money orders drawn on the country of origin of the packets.

## ARTICLE 133

**Discrepancy Between the Indications of the Amount of the Trade Charge**

In case of discrepancy between the indications of the amount of the trade charge appearing on the packet and on the money order, the higher amount must be collected from the addressee.

If the latter refuses to pay this amount, the packet may be delivered, except as provided hereafter, against payment of the lower amount, but subject to the condition that a complementary payment will be made if necessary on receipt of the information which will be supplied by the despatching Administration. If the addressee does not accept this condition, delivery of the packet is suspended.

In any case, a request for information is immediately forwarded to the Administration of origin, which must answer as soon as possible stating the exact amount of the trade charge, applying, if necessary, the provisions of Article 135, § 2, hereafter.

When the addressee is travelling or has to go away, payment of the higher amount is always required. In case of refusal, the packet is only delivered on receipt of the answer to the request for information.

## ARTICLE 134

**Period for Payment**

The amount of the trade charge must be paid within a period of seven days, reckoning from the day after that of the arrival of the packet at the office of destination. This period may be extended to one month at most when the internal legislation of the country of destination so requires. On the expiration of the period of retention, the article is sent back to the office of origin. The sender may, however, request, by a note, the immediate return of the article in those cases where the addressee does not pay the amount of the trade charge when the article is first tendered to him. The immediate return of the article takes place also if the addressee at the time of presentation, formally refuses all payment.

## ARTICLE 135

**Reduction or Cancellation of Trade Charges**

1.—Requests for cancellation or reduction of trade charges are subject to the rules and formalities prescribed by Article 148 below.

In the case of a request by telegraph, the request must be confirmed, by first post, by a postal request accompanied by the facsimile referred to in Article 148, § 1, hereafter, and bearing at the head the note underlined in coloured pencil "*Confirmation de la demande télégraphique du.*" (Confirmation of the telegraphic request of the..).

In that case the office of destination simply retains the packet on the receipt of the telegram and awaits the postal confirmation before giving effect to the request.

However, the Administration of destination may on its own responsibility give effect to a request by telegraph without awaiting that confirmation.

2.—Except as provided in Article 131, every postal request for reduction of the amount of a trade charge must be accompanied by a new trade charge money order form indicating the amended amount.

In case of a request by telegraph, the trade charge money order must be replaced by the office of destination under the conditions laid down by Article 138 hereafter.

## ARTICLE 136

**Redirection**

Registered packets marked with trade charges may be redirected if the new country of destination maintains, with that of origin, an exchange of packets of this category. In that case, the packets are accompanied by trade charge money order forms made out by the service of origin. The Administration of the new country of destination acts in the settlement of the trade charges as if the packets had been forwarded to it directly.

Packets on which the amount collected has to be paid into a postal cheque account in the original country of destination cannot be redirected.

## ARTICLE 137

**Issue of the Trade Charge Money Order or Transfer Note**

Immediately after collecting the amount of the trade charge, the office of destination or any other office appointed by the Administration of the country of destination, fills in the portion of the trade charge money order headed "*Indications de service*" and, after impressing it with the date-stamp of the office, returns it free of postage to the address shown.

When a request for information concerning the exact amount of the trade charge has been sent to the Administration of origin, the despatch of the money order is suspended until the receipt of the answer.

The transfer notes relating to trade charge packets of which the amount has to be credited to a postal cheque account in the country of destination are treated according to the inland regulations of that country concerning postal cheques.



## ARTICLE 138

**Trade Charge Money Order Forms or Transfer Notes Cancelled or Replaced**

1.—Trade charge money order forms which become useless by reason of a discrepancy between the indications of the amount of the trade charge or on account of cancellation or reduction of the amount as well as transfer notes which have become useless by reason of cancellation of the amount of the trade charge, are destroyed by the Administration of destination of the packets.

2.—The forms relating to packets marked with trade charges which, for any reason whatsoever, are returned to origin, must be cancelled by the Administration which returns the packets.

3.—When the forms relating to packets marked with trade charges are mislaid, lost, or destroyed before the collection of the amount of the trade charge the office of destination prepares duplicates on forms C 8 or on the transfer note as the case may be.

## ARTICLE 139

**Trade Charge Money Orders Undelivered or not Cashed**

Trade charge money orders which it has not been possible to deliver to the payees are, after having been subjected if necessary to the formalities prescribed for extending the period of validity, receipted by the Administration of origin of the relative packets and claimed from the Administration which has issued them.

The same rule applies to trade charge money orders which have been delivered to the payees and not cashed. These orders must, however, be previously replaced by authorities to pay prepared by the Administration which has issued the money orders.

## ARTICLE 140

**Accounting on Trade Charge Money Orders**

1.—In the absence of agreement to the contrary, the accounting relative to paid trade charge money orders is effected by means of a form identical with Form C 9 annexed which accompanies the monthly Money Order accounts.

2.—In this special account, which is accompanied by the paid and receipted trade charge money orders, the orders are entered in alphabetical order of the offices of issue and in numerical sequence of their entry in the records of these offices. The Administration which has drawn up the account deducts from the total of its credit the amount of the charges and fees accruing to the corresponding Administration in conformity with Article 173 of the Convention.

3.—The balance of the account C 9 is added, as far as possible, to that of the monthly Money Order account for the same period. The check and the settlement of these accounts are effected in accordance with the rules fixed by the Money Order Agreement and its Detailed Regulations.

## PART V

### Despatch and Receipt

#### CHAPTER I

##### ARTICLE 141

#### Date-Stamp Impressions

1.—Correspondence is impressed on the front by the office of origin with a stamp indicating, as far as possible in Roman characters, the place of origin and the date of posting.

In localities with several post offices, the obliterating stamp must indicate the office of posting.

The application of the stamp prescribed in the preceding paragraphs is not obligatory for correspondence prepaid by means of impressions made by franking machines if such impressions indicate the place of origin and the date of posting. Moreover the application of the stamp in question is not required for unregistered articles sent at a reduced rate, provided that the place of origin is indicated on the articles.

2. All valid postage stamps must be obliterated.

Postage stamps not cancelled through error or oversight on the part of the office of origin must be struck through with a thick line or cancelled in some other way by the office which detects the irregularity, but they are not stamped with the date-stamp.

3.—Mis-sent correspondence must be date-stamped by the office which it has reached by mistake. This obligation is imposed not only on stationary offices, but also on travelling post offices as far as possible.

4.—The stamping of correspondence posted on board ships rests with the postal official or the officer on board charged with this duty, or, in their absence, the post office at the port to which the correspondence is handed over *à découvert*. In the latter case this office impresses the correspondence with its date-stamp, and adds the words "*Navire*," "*Paquebot*," or some similar note.

##### ARTICLE 142

#### Express Articles

Articles to be delivered by express are provided, as far as possible, beside the indication of the place of destination with a printed label, dark red in colour, bearing in large letters the word "Express."

##### ARTICLE 143

#### Articles Unpaid or Insufficiently Prepaid

1.—Correspondence on which any charge whatever has to be collected after posting, either from the addressee, or in the case of undelivered correspondence, from the sender, is impressed with the stamp T (tax to be paid) in the upper right-hand corner of the address side; the indication in francs and centimes of the amount to be collected is entered in very legible figures beside this stamp.

2.—The stamp T should be applied and the amount to be collected should be indicated by the Administration of origin, or, in the case of redirection or non-delivery, by the re-transmitting Administration.

In the case, however, of correspondence originating in countries which apply reduced rates of postage in relations with the re-transmitting Administration, the amount to be collected is indicated by the Administration which effects delivery.

3.—The delivering Administration marks the article with the amount to be collected.

4.—Every article which does not bear the stamp T is considered as fully paid and treated accordingly, unless there is an obvious error.

5.—Postage stamps and impressions made by franking machines not available for prepayment are ignored. In this case, the figure nought (0) is placed by the side of these postage stamps or impressions, which must be ringed round in pencil.

## ARTICLE 144

### Return of Franking Notes

#### Recovery of Sums Advanced

1.—After delivery to the addressee of a packet free of charges, the office which has advanced the customs or other charges on account of the sender completes, as far as it is concerned, the indications which figure on the back of the franking note and transmits the latter, together with the vouchers, in a closed envelope, without indication of the contents, to the office of origin of the packet.

Nevertheless, each Administration has the right to have franking notes on which charges are to be collected sent back by offices specially appointed, and to request that the franking notes be sent to a specified office.

The name of the office to which the franking notes must be sent back is entered in all cases on the front of the franking note by the office of origin of the packet.

2.—When a packet which bears the label "*Franc de droits*" reaches the service of destination without a franking note, the office charged with the customs clearance prepares a duplicate note on which is entered the name of the country of origin and if possible the date of posting.

When the franking note is lost after the delivery of the packet, a duplicate is prepared in the same manner.

3.—The franking notes relating to packets which, for any reason whatever, are returned to origin must be cancelled by the Administration of destination.

4.—On the receipt of a franking note indicating the charges paid out by the service of destination, the Administration of origin converts the total of these charges into its own currency at a rate which must not be higher than the rate fixed for the issue of money orders on the corresponding country. The result of the conversion is indicated in the body of the form and on the coupon at the side. After having recovered the amount of the charges, the office of origin delivers to the sender the coupon of the franking note and, if necessary, the vouchers.



## ARTICLE 145

**Redirected Articles**

1.—Correspondence addressed to persons who have changed their residence is considered as addressed directly from the place of origin to the place of the new destination.

2.—Articles unpaid or insufficiently paid for their first transmission are charged the rate which would have been applicable had they been addressed directly from the place of origin to that of the new destination.

3.—Articles properly prepaid for their first transmission, but on which the complementary postage appropriate to the further transmission has not been paid before their redirection, are charged with a rate equal to the difference between the amount of postage already prepaid and that which would have been charged if the articles had been despatched in the first instance to the new destination.

4.—Articles originally addressed in the inland service of a country and fully prepaid at the inland rate are considered as articles properly prepaid for their first transmission.

5.—Articles which have originally circulated free of postage in the inland service of a country are charged with the rate which would have been due had they been addressed directly from the place of origin to that of the new destination.

6.—Upon redirection, the re-transmitting office in all cases impresses its date-stamp on the address side of letters and post-cards.

7.—Correspondence, ordinary or registered, which is returned to the senders in order that they may correct or complete the address is, when posted, not considered as redirected correspondence; it is treated as freshly posted correspondence and is consequently liable to fresh postage.

8.—The customs and other non-postal charges which could not be cancelled on redirection or on return to origin (Article 147 hereafter) are recovered as trade charges from the Administration of the new destination. The original Administration of destination attaches to the article in that case an explanatory note and a trade charge money order (Form C 8).

If there is no cash on delivery service between the Administrations concerned, the charges in question are recovered by correspondence.

9.—In a case where the attempt to deliver an express article at the place of address by special messenger has failed, the redirecting office must cancel the label or the word "Express" by two heavy transverse strokes.

## ARTICLE 146

**Redirection Envelopes and Collective Envelopes**

1.—Unregistered correspondence to be redirected to the same person at a different address may be enclosed in special envelopes, identical with Form C 10 annexed, supplied by the Administrations and on which only the name and new address of the addressee must be entered.

2.—Packets which are to be submitted to the Customs Authorities or which from their shape, dimensions or weight are likely to cause damage to the envelope must not be enclosed in these envelopes; the total weight of an envelope and its contents must in no case exceed 500 grammes.

3.—The envelope must be presented open at the redirecting office to enable it to collect, if necessary, the complementary postage to which the articles it contains may be liable or to indicate on these articles the charge to be collected on arrival, when the complementary postage is not paid. After check, the redirecting office closes the envelope and applies, if necessary, the "T" stamp with an indication, in francs and centimes, of the total amount of charges to be collected.

4.—On arrival at destination, the envelope may be opened and its contents verified by the delivering office, which collects, if necessary, the complementary charges not paid.

5.—Ordinary correspondence addressed either to members of the crew and passengers on the same ship, or to any group of persons taking part in a voyage, may also be treated according to the provisions of §§ 1 to 4. In this case the collective envelopes must bear the name of the ship, the shipping or tourist agents, etc., to whom they are to be delivered.

## ARTICLE 147

### Undelivered Correspondence

1.—Before returning to the Administration of origin correspondence which for any reason has not been delivered, the office of destination must indicate in a clear and concise manner, in the French language, on the back of each article, the cause of the non-delivery in the following form:—"inconnu," "refusé," "en voyage," "parti," "non réclamé," "décédé," etc. ("not known," "refused," "travelling," "gone away," "not claimed," "deceased," etc.). As regards post-cards and printed papers in the form of cards, the reason for non-delivery is indicated on the right-hand half of the address side.

This indication is made by the impression of a stamp or by affixing a label. Each Administration has the option of adding a translation, in its own language, of the cause of non-delivery, and any other useful particulars.

The office of destination must then strike out the name of the place with which it is concerned and on the address side of the article add the word "*Retour*" at the side of the indication of the office of origin. It must also impress its date-stamp on the back of letters and on the address side of post-cards.

2.—Correspondence which is not delivered is returned, either singly, or in a special bundle labelled "*Rebuts*."

Undelivered registered correspondence is returned to the office of exchange of the country of origin as if it were registered correspondence addressed to that country.

3. Undelivered inland correspondence which is forwarded abroad in order to be returned to the sender, is treated in accordance with the provisions of Article 145.

4.—Correspondence for seamen and others addressed to the care of a Consul, and returned by him to the post office as unclaimed, must be treated as undelivered correspondence.

The amount of the charges collected on this correspondence must be repaid.



## ARTICLE 148

**Withdrawal of Correspondence and Alteration of Address**

1.—For requests to have correspondence withdrawn from the post, or to have addresses altered, the sender must use a form identical with Form C 11 annexed; a single form may be used for several articles posted simultaneously at the same office by the same sender to the same addressee. In handing this application to the post office, the sender must prove his identity and produce the certificate of posting, if any.

After proof of identity, for which the Administration of the country of origin assumes responsibility, the procedure is as follows:

(a) if the request is meant to be sent by post, the form, together with an exact facsimile of the envelope or address of the packet, is despatched in a registered cover directly to the office of destination;

(b) if the request is to be made by telegraph, the form is handed over to the telegraph service, which transmits the message to the office of destination. The telegram is written in French.

2.—On receipt of Form C 11 or of the telegram taking its place, the office of destination searches for the correspondence in question and takes such steps as may be necessary.

If the search is fruitless, or if the packet has already been delivered to the addressee, or if the request by telegraph is not sufficiently explicit to admit of identification of the article with certainty, the fact is at once communicated to the office of origin, which informs the applicant accordingly.

3.—Any Administration may request, by notification addressed to the International Bureau, that so far as it is concerned, requests shall be exchanged through the medium of its central Administration or of an office specially designated.

In cases where requests are exchanged through the medium of the central Administrations, requests sent directly by offices of origin to the offices of destination must be complied with to the extent that the correspondence concerned is withheld from delivery until the arrival of the request from the central Administration.

Administrations which avail themselves of the option accorded in the first paragraph of the present clause bear the charges involved by the transmission, in their inland service, by post or telegraph, of the communications to be exchanged with the delivering office.

The use of the telegraph service is obligatory when the sender has himself used it and the office of destination cannot be advised in time by post.

## ARTICLE 149

**Simple Correction of Address**

A request for simple correction of address (without modification of the name or description of the addressee) may be addressed directly to the delivery office by the sender, that is to say, without fulfilling the formalities required for an alteration of address properly so called.

## ARTICLE 150

**Applications for Ordinary Correspondence**

1.—Every application respecting ordinary correspondence must be made on a form identical with C 12 annexed.

The office which receives the application forwards this form, without a covering letter and in a closed envelope to the corresponding office. This office, after having obtained the necessary information from the addressee or from the sender, as the case may be, returns the form in the same manner to the office which prepared it.

If the enquiry proves to be well founded, this last office forwards the form to its central Administration for further enquiry.

A single form may be used for several articles posted simultaneously at the same office by the same sender to the same addressee.

2.—Any Administration may request, by notification addressed to the International Bureau, that applications which concern its service shall be transmitted to its central Administration or to an office specially designated.

## ARTICLE 151

**Applications for Registered Articles**

1.—Every application relating to a registered article is prepared on a form identical with Form C 13 annexed which must be accompanied, if possible, by a facsimile of the envelope or of the address of the article.

If the application concerns an article marked with a Trade Charge it must be accompanied, in addition, by a duplicate money order form C 8 or a transfer note of the postal cheque account, as the case may be.

A single form may be used for several articles posted simultaneously at the same office by the same sender to the same addressee.

2.—The application is, as a general rule, forwarded directly by the office of origin to the office of destination without any covering letter and in a closed envelope. If the office of destination is in a position to furnish information as to the final disposal of the article under enquiry, it completes the form and returns it to the office of origin.

When the disposal of the article cannot be established by the office of destination, this office records the fact on the form and returns it to the office of origin, adding to it, as far as possible, a declaration by the addressee stating that he has not received the article. In this case, the Administration of origin completes the form by entering thereon particulars of the despatch of the article to the first intermediate Administration. It then transmits the form to that Administration, which enters its observations and forwards it to the following Administration, if any. The application passes thus from one Administration to the other until the fate of the article enquired for is ascertained. The Administration which has effected delivery to the addressee, or which is unable to furnish proof either of delivery or of regular despatch to another Administration, records the fact on the form and returns it to the Administration of origin.

3.—The Administrations of origin and destination may, by mutual agreement, have the form forwarded from office to office, following the same circulation as the article under enquiry.

In this case the enquiries are pursued from the Administration of origin to the Administration of destination, following the procedure indicated in the last paragraph of § 2.

4.—Each Administration may request, by notification addressed to the International Bureau, that applications concerning its service shall be forwarded to its central Administration, or to an office specially designated.

5.—The Form C 13 and the documents annexed thereto must, in every case, be returned to the Administration of origin of the article enquired for within the shortest possible time and not later than three months from the date of the application. This period is extended to six months in relations with distant countries.

6.—The foregoing provisions do not apply to cases of violation of mails, loss of mails, or other similar cases which require a more detailed correspondence between Administrations.

## ARTICLE 152

### **Applications Concerning Articles Posted in Another Country**

In the case provided for in Article 53, § 3, of the Convention, the enquiry Form C 12 or C 13 is forwarded to the Administration of origin. The Form C 13 must be accompanied by the certificate of posting.

The Administration of origin must be placed in possession of the form within the period prescribed by Article 53, § 2, of the Convention.

## ARTICLE 153

### **Use of Postage Stamps Presumed to be Fraudulent, or of Counterfeit Impressions of Franking Machines.**

Subject to the rules laid down by the legislation of each country, the following procedure is carried out for reporting the use of fraudulent postage stamps or of counterfeit impressions of franking machines for the prepayment of postage:

(a) when the presence of a fraudulent postage stamp (counterfeit or already used) or of a counterfeit impression of a franking machine, on any article whatever, is detected at the time of despatch, the stamp is not defaced in any way, and the article, accompanied by a form identical with Form C 14 annexed, is forwarded in an official registered envelope to the delivering office. A copy of the Form C 14 is forwarded, for information, to the Administrations of the countries of origin and of destination;

(b) the article is only delivered to the addressee, who is summoned that he may recognise the offence, if he pays the charge due, discloses the name and address of the sender and places at the disposal of the Post Office, after having acquainted himself with the contents, either the entire article if it is inseparable from the offending part, or else the portion of the article (envelope, wrapper, portion of letter, etc.), which contains the address and the impression or stamp stated to be fraudulent. The result of the representations to the addressee is set forth in a formal report identical with Form C 15 annexed, signed by the postal official and by the addressee of the article. If the addressee refuses to sign, the refusal is recorded on the form.

The formal report is transmitted with the relative enclosures, officially registered, to the Administration of the country of origin, which acts according to its laws.

Administrations whose internal legislation does not allow the procedure provided for under (a) and (b) inform other Administrations through the intermediary of the International Bureau.



PART VI  
**Exchange of Mails**

CHAPTER I

ARTICLE 154

**Letter Bills**

1.—The letter bills which accompany mails are identical with Form C 16 annexed. They are placed in blue envelopes bearing in large type the words “*Feuille d’avis*” (“Letter Bill”).

2.—The despatching office fills in the letter bill with all the required particulars, taking note of the following provisions:

(a) Table I: The presence of ordinary correspondence intended for express delivery is indicated by underlining the relative entry;

(b) Table II: When the mails are not despatched daily, and in the absence of other arrangements, the despatching offices number the letter bills in an annual series for each office of destination. Each despatch takes, in this case, a separate number, even if it is a supplementary despatch forwarded by the same route or the same ship as the ordinary mail.

In the case of the first despatch of each year, the bill must bear the number of the last despatch of the preceding year, in addition to the serial number of the mail.

The name of the vessel which carries the mail is shown when the despatching office is in a position to know it;

(c) Table III: One or more special lists identical with Form C 17 annexed may be used, either to take the place of Table No. V, or to serve as a supplementary letter bill.

The exclusive use of special lists is obligatory if the Administration of destination asks for it.

When two or more lists are used, they must be numbered.

The number of registered articles which may be entered on one and the same list is limited to 60;

(d) Table IV: If occasion arises, the number of empty bags belonging to an Administration other than that to which the mail is addressed must be shown separately and the name of that Administration indicated.

Open letters on official business and the various communications or notes sent by the despatching office in connexion with the service are also entered in Table IV;

(e) Table V: This Table is intended for the entry of registered articles when special lists are not used exclusively.

When the Administrations concerned have arranged for the bulk advice of registered articles on the letter bills, the total number of these articles must be indicated in figures and in words.

When the mail does not contain any registered articles the word “*Néant*” is entered on Table V.

3.—Administrations may arrange for other tables or headings in the letter bill when it is considered necessary. They may, in particular, modify Tables V and VI to meet their needs.

4.—When an office of exchange has nothing to forward to a corresponding office, a mail is not sent unless the Administrations concerned have arranged not to number the letter bills in accordance with § 2 (b). In that case the office of exchange must send in the usual form a mail consisting simply of a blank letter bill.

5.—When closed mails are conveyed by means of ships belonging to an intermediate Administration which does not use them regularly for its own mails, the weight of the letters and other articles must be shown on the letter bill and on the address of the mails if the Administration responsible for the embarkation requires it.

## ARTICLE 155

### Transmission of Registered Articles

1.—Registered articles, and, if necessary, the special lists mentioned in Article 154, § 2, are made up in one or more separate packets or bags, which must be suitably wrapped up or closed and sealed with wax or lead so as to preserve the contents. The registered articles are arranged in each packet in the order of their entry in the list. When several special lists are used, each of them is tied up with the registered articles to which it relates.

In no case may the registered articles be mixed with ordinary correspondence.

2.—The special envelope containing the letter bill is attached to the outside of the packet of registered articles by string tied cross-wise; when the registered articles are enclosed in a bag the envelope is attached to the neck of the bag.

3.—If there is more than one packet or bag of registered articles, each of the additional packets or bags bears a label indicating the nature of the contents.

## ARTICLE 156

### Transmission of Express Articles

1.—Ordinary correspondence for express delivery is made up in a special bundle, furnished with a label bearing in large type the indication "*Exprès*" (Express) and placed, by the offices of exchange, in the envelope containing the letter bill which accompanies the mail.

Nevertheless, if this envelope has to be affixed to the neck of the bag of registered articles (Article 155, § 2), the bundle of express articles is placed in the outer bag. The presence of express correspondence in the mail is then indicated by a label placed in the envelope containing the letter bill. The same procedure is followed when the express articles cannot be attached to the letter bill on account of their number, form or dimensions.

2.—Registered correspondence for express delivery is arranged in order among the other registered correspondence and the note "*Exprès*" (Express) is made in the "Observations" column of Table V of the letter bills or special lists against the relative entries. In the case of bulk advice, the presence of registered express articles is indicated simply by the note "*Exprès*" (Express) in Table V of the letter bill.

## ARTICLE 157

### Make-Up of Mails

1.—As a general rule, articles must be sorted and tied up in bundles according to the nature of the correspondence, letters and post-cards being included in the same bundle, and newspapers and periodicals being made up in bundles



separate from ordinary printed papers. The bundles must bear labels indicating the office of destination or retransmitting office of the articles enclosed in the bundles. Correspondence which can be made up into bundles must be arranged with the addresses facing the same way. Prepaid articles are separated from the unpaid and insufficiently paid; and the labels of bundles of unpaid and insufficiently prepaid articles are to be impressed with the T stamp.

Letters bearing traces of opening, deterioration or damage must have the fact noted on them and be marked with the date-stamp of the office which discovers it.

Money orders sent *à découvert* are made up in a separate bundle which must be enclosed in a packet or bag of registered articles. If the mail does not contain registered correspondence the Money orders are placed in the envelope containing the letter bill or tied to it.

2.—Mails are enclosed in bags properly closed, sealed with wax or lead and labelled. When string is used, it must be passed twice round the neck before being tied. The impressions of the wax or lead seals must reproduce, in very legible Roman characters, the name of the office of origin or an indication sufficient to identify the office.

The labels of the bags must be of linen, strong cardboard, parchment, or of paper gummed to a wooden block; in relations between neighbouring offices strong paper labels may be used. The labels are made in the following colours:

- (a) vermilion, for bags containing registered articles;
- (b) white, for bags containing only unregistered letters and post-cards;
- (c) light blue, for bags containing exclusively unregistered other articles;
- (d) green, for bags containing empty bags only being returned to origin.

Bags containing mixed unregistered correspondence (letters, post-cards and other articles) must be furnished with the white label.

Nevertheless, the use of white, light blue or green labels is obligatory only for Administrations whose internal arrangements are not opposed to it. On the other hand green labels are used only if the Administration of destination requires it.

The labels bear the name of the despatching office printed in small Roman characters, and the name of the office of destination in large Roman characters, preceded respectively by the words "*de*" and "*pour*". In exchanges by sea at irregular intervals these indications are completed by the mention of the date of despatch, the number of the mail, and the port of disembarkation at the request of the Administration concerned.

The bags must indicate legibly in Roman characters the office or country of origin, and bear the mention "*Postes*" or some similar expression showing them to be mails.

Intermediate offices must not enter any serial number on the labels of bags or packets of closed mails in transit.

3.—In the absence of an arrangement to the contrary, mails of small size or "Nil" mails are simply wrapped in strong paper so as to prevent damage to the contents, then tied with string and sealed with wax or lead.

If sealed with lead seals, these mails must be made up so that the string cannot be detached. When they contain only unregistered correspondence they may be secured by means of gummed seals bearing the printed indication of the despatching office or Administration. The addresses of the packets must comply, as regards the printed indications and the colours, with the rules laid down in § 2 for the labels of bags of correspondence.

4.—When the number or bulk of the mails necessitates the use of more than one bag, separate bags must, as far as possible, be employed:

(a) for letters and post-cards;

(b) for other articles; if necessary separate bags must further be used for small packets; the labels of these bags bear the words "*Petits paquets*."

The packet or bag of registered articles, attached to the letter bill in the manner prescribed by Article 155, § 2, is placed in one of the bags of letters or in a special bag; the outer bag must in every case bear a red label. When there is more than one bag of registered articles, the supplementary bags containing only registered articles other than letters and post-cards, may be forwarded unenclosed, bearing the red label.

The label of the bag or packet containing the letter bill, even if it is a "Nil" bill, must be plainly marked with the letter "F."

5.—No bag may exceed 30 kilogrammes in weight.

6.—As far as possible offices of exchange forward in their own mails for a particular office all transit mails of small size (packets or bags) received by them for the same office.

## ARTICLE 158

### Transmission of Mails

1.—The mails are transmitted between two corresponding offices in accordance with the conditions fixed by the Administrations concerned.

Only the bags and packets distinguished by red labels must be completely examined as to their sealing and make-up at the time of delivery. The examination of other bags and packets, which are always to be delivered in bulk, is optional.

2.—The mails must be delivered in good condition. Nevertheless, a mail may not be refused because of damage. When a mail is received in bad condition by an intermediate office, it must be repacked as it is in fresh packing. The office which has repacked the mail must copy the indications of the original label on the new label and date-stamp the label, adding in front of the impression: "*Remballé à . . .*" (Repacked at . . .).

## ARTICLE 159

### Check of Mails

1.—When an intermediate office is obliged to repack a mail, it verifies the contents if it presumes that they are not intact.

It prepares a verification note identical with Form C 18 annexed, in conformity with the provisions of § 3 below. This note is sent to the office of exchange whence the mail has been received; a copy is forwarded to the office of origin and another is inserted in the repacked mail.

2.—The office of destination ascertains whether the mail is complete and whether the entries on the letter bill and on the special lists of registered articles, if any, are in order. In case of loss of a mail, or of one or more bags, of registered articles, of a letter bill, of a special list of registered articles, or in case of any other irregularity, the fact is verified immediately by two officers. These officers make the necessary corrections on the bill or list, taking care to cross out

the incorrect entries in such a way as to leave the original entries legible. Except in the case of an obvious error, the corrections are accepted in preference to the original statement.

3.—The facts verified are notified by verification note to the office of origin of the mail, and in case of actual loss to the last intermediate office, by the first available post after the complete check of the mail.

This verification note must specify as exactly as possible which bag, packet, or article is in question.

A duplicate of the verification note is sent in the same conditions as the original to the Administration to which the office of origin of the mail is subordinate, when that Administration so requires. In case of important irregularities giving reason for presuming loss or tampering, the envelope or bag and the seal of the packet or bag of registered articles are attached to the verification note for the office of origin. The same applies to the outer envelope or bag, with its string, label and seals when their production is possible.

In relations with Administrations which require the sending of a duplicate, the exhibits mentioned above are sent attached to the duplicate.

In the cases referred to in § § 1 and 2, the office of origin and, if necessary, the last intermediate office of exchange may, in addition, be advised by telegram at the expense of the Administration which sends the telegram.

An advice must be sent by telegram whenever the mail shows evident traces of having been tampered with, in order that the office of despatch or intermediate office may make inquiry in the matter without delay and, if necessary, advise the preceding Administration by telegram for the continuation of the inquiry.

4.—When the absence of a mail is the result of a failure of connection or when it is duly explained on the way-bill, the preparation of a verification note is necessary only if the mail does not reach the office of destination by the next opportunity.

The sending of the duplicate prescribed by § 3 may be deferred if it may be presumed that the absence of the mail arises from delay or wrong circulation.

As soon as a mail which had been reported as missing to the office of origin and, if occasion arises, to the last intermediate office comes to hand, a second verification note must be addressed to these offices announcing the receipt of this mail.

5.—The offices to which the verification notes are addressed return them as promptly as possible, after having examined them and made thereon any observations to which they may give rise.

If these notes are not sent back to the Administration of origin within two months counting from the date of despatch, they are considered, in the absence of proof to the contrary, as duly accepted by the offices to which they have been addressed.

This period is extended to four months in relations with distant countries.

6.—When a receiving office by which a mail should be checked has not sent to the office of origin, and to the last intermediate office of exchange, if any, by the first available post after the checking of the mail, a verification note reporting irregularities of any kind, it is considered, until proof of the contrary, as having received the mail and its contents. The same assumption is made in respect of irregularities to which no reference has been made or which have been incompletely reported in the verification note.

7.—Verification notes and their duplicates are forwarded under registered cover.



## ARTICLE 160

**Return of Empty Bags**

1.—In the absence of other arrangements between the corresponding Administrations, bags must be returned empty by the next mail in a direct despatch to the country to which the bags belong. The number of bags returned in each mail must be entered under the heading "*Indications de service*" on the letter bill.

The return of empty bags is effected between offices of exchange appointed for this purpose.

The empty bags must be rolled in suitable bundles, the label blocks and linen, parchment or other durable labels if any, being placed inside the bags. The bundles must bear a label showing the name of the office of exchange whence the bags have been received whenever they are returned through another office of exchange.

If the bags to be returned are not too numerous, they may be placed in the bags containing correspondence. Otherwise, they must be placed separately in sealed bags, labelled with the names of the offices of exchange. The labels must be marked "*Sacs vides*" (Empty bags).

2.—When the check exercised by an Administration upon the return of the bags belonging to it shows that 10 per cent of the total number of the bags used in one year for the making up of mails have not been returned before the end of that year, the Administration which is unable to prove the return of the empty bags is required to reimburse to the Administration of despatch the value of the missing bags. Payment must also be made if the number of missing bags does not amount to 10 per cent but exceeds 50 bags.

Each Administration fixes periodically, and uniformly for all kinds of bags used by its offices of exchange, an average value in francs and notifies it to the Administrations concerned through the medium of the International Bureau.

PART VII  
**Provisions Concerning Transit Charges**

CHAPTER I  
**Statistical Operations**

ARTICLE 161  
**Transit Statistics**

1.—The transit charges payable in execution of Articles 75 *et seq.* of the Convention are based on statistics prepared once in every three years and alternately during the first 14 or 28 days of the month of May or during the 14 or 28 days which follow the 14th of October.

The statistics are taken during the second year of each triennial period.

Mails made up on board ships are included in the statistics if they are landed during the statistical period.

2.—The statistics of October-November, 1933 and the relative accounts prepared according to the provisions of the Convention of London will apply up to the end of the year 1934.

The statistics of May, 1936, will apply to the years 1935, 1936 and 1937; those of October-November, 1939, to the years 1938, 1939 and 1940.

3.—The annual payments of transit charges to be made under each set of statistics must be continued provisionally, until the accounts prepared according to the next statistics are approved or regarded as fully accepted (Article 169 below). The adjustment of the provisional payments is then made.

4.—When an important modification takes place in the circulation of correspondence from one country to another, and if this modification affects a period or periods amounting to a total of 12 months at least, each Administration concerned may demand a revision of its transit accounts. In that case the sums to be paid by the despatching Administrations are determined according to the use actually made of the intermediate services; but the total weights which are the basis for the new accounts must normally be the same as those of the mails despatched during the statistical period mentioned in § 1. When an agreement cannot be reached as to the method of division, special statistics must be taken to settle the distribution of these weights among the various services used. No modification in the circulation of correspondence for a particular country is considered important unless it affects by more than 5,000 francs per annum the accounts between the Administration of origin and the intermediate Administration concerned. If the modification exceeds this sum, it affects the payments made by the Administration of origin to the Administrations which effected the transit before and after the modification took place, even though in the case of certain Administrations, the reduction in the accounts does not attain the fixed minimum. The request for a revision of the accounts and, if necessary, for special statistics may be made when the modification in the circulation of the correspondence in question has lasted at least nine months. But the results of these statistics are only taken into consideration if the period of twelve months is actually completed.



If, after special statistics, it is shown that the total weights of the mails exchanged between two Administrations and carried by a third Administration have increased by 100 per cent or decreased by 50 per cent as compared with the results of the last statistical period and that the accounts of the third Administration would show on this head a modification of more than 5,000 francs a year, the new ascertained weights must form the basis of the transit charges due to that Administration.

In the same way, when an intermediate Administration ascertains, during the six months which follow the statistics, that between the despatches made by another Administration during the statistical period and the normal traffic there is a difference of 20 per cent at least in the total weight conveyed, the Administration concerned may demand the taking of new statistics if the accounts between two Administrations are affected by a modification of more than 5,000 francs a year.

## ARTICLE 162

### Make-Up and Description of Closed Mails During a Statistical Period

1. During each statistical period, separate bags for "letters and post-cards" and for "other articles" are used for the exchange of correspondence in closed mails between two Administrations across the territory or by means of the services of one or more other Administrations.

When the volume of the mails permits, the separate bags must be made up into a single "*sac collecteur*."

2.—By way of exception to the provisions of Articles 155 and 156, each Administration has the option, during the statistical period, of enclosing registered or express articles other than letters and post-cards in one of the bags intended for other articles, mentioning this fact on the letter bill; but if, in conformity with Articles 155 and 156 these articles are enclosed in a bag of letters, they are considered as letters so far as the statistics are concerned.

3.—During the statistical period, all mails sent in transit must be furnished, in addition to the ordinary labels, with a special label bearing in large type the word "*Statistique*", followed by the indication "5 kilogrammes", "15 kilogrammes" or "30 kilogrammes" according to the category of weight (Article 163, § 1, below). The label "*Statistique*" must bear in addition the mention "L.C." or "A.O." as the case may be.

4.—As regards the bags which contain only empty bags, correspondence exempt from all transit charges (Article 76 of the Convention) or a blank letter bill, the word "*Statistique*" is followed by the word "*Exempt*".

5.—When bags comprising the mail are made up into a "*sac collecteur*", the latter must be provided with a special "*Statistique*" label marked "S.C." The information concerning the statistics which is shown on the enclosed bags is not repeated on the "*sac collecteur*" label.

## ARTICLE 163

### Establishment of Number of Bags and Weight of Closed Mails

1.—As regards mails which involve the payment of transit charges, the despatching office of exchange makes use of a special letter bill identical with C 19 annexed. It enters on this letter bill the number of bags, dividing them into the following classes:

Description of bags	Number of bags of which the gross weight		
	does not exceed 5 kg. (light bags)	exceeds 5 kg. but not 15 kg. (medium bags)	exceeds 15 kg. but not 30 kg. (heavy bags)
1	2	3	4
<i>L.C.</i>			
<i>A.O.</i>			

Number of bags exempt from transit charges.....

The number of bags exempt from transit charges must be the total of those bearing the inscription "*Statistique—Exempt*," as provided by Article 162, § 4.

2.—The entries on the letter bills are checked by the office of exchange of destination. If that office finds an error in the numbers entered, it corrects the letter bill and immediately notifies the mistake to the despatching office of exchange by means of a verification note identical with Form C 20 annexed. However, as regards the weight of a bag, the statement of the despatching office of exchange holds good, unless the actual weight exceeds by more than 250 grammes the maximum weight of the class in which this bag was entered.

#### ARTICLE 164

##### Preparation of Statements for Closed Mails

1.—As soon as possible after the conclusion of the statistical operations, the offices of destination prepare as many copies of statements, identical with Form C 21 annexed, as there are Administrations concerned, including the Administration of origin, and forward these statements to the offices of exchange of the Administration of origin for acceptance. These offices, after having accepted the statements, forward them to their central Administration which distributes them among the Administrations concerned.

2.—If the statements C 21 have not reached the offices of exchange of the Administration of origin, or have not been received in sufficient number, within the period of three months (four months in exchanges with distant countries), from the date of despatch of the last mail to be included in the statistics, these offices themselves prepare the statements in sufficient number, in accordance with their own records, adding to each of them the note, "*Les relevés C 21 du Bureau destinataire ne sont pas parvenus dans le délai réglementaire*" (The statements C 21 of the office of destination have not been received within the prescribed period). They then forward them to their central Administration which distributes them among the Administrations concerned.

#### ARTICLE 165

##### List of Closed Transit Mails

1.—As soon as possible and, at latest, within a period of three months after each statistical period, unless it has not been possible within that period to ascertain the route followed, the Administrations which have despatched mails in transit send on a form identical with Form C 22 annexed, the list of these mails to the different Administrations whose services they have used.

2.—If this list shows mails in transit, which under the provisions of Article 162 do not require the preparation of a statement C 21, it must bear an explanatory note, *e.g.*, “*Sacs vides*,” (Empty bags), “*Correspondances exemptes*,” (Exempt correspondence), “*Feuille d’avis négative*,” (Blank letter bill).

#### ARTICLE 166

##### **Closed Mails Exchanged With Ships of War**

It is the duty of the Administrations of countries to which ships of war belong to prepare statements C 21 relative to the mails sent or received by these ships. The mails sent to ships of war during the statistical period must bear on the labels the date of despatch.

In the event of these mails being re-forwarded, the redirecting Administration notifies the fact to the Administration of the country to which the ship belongs.

#### ARTICLE 167

##### *Bulletin de Transit*

1.—When the route to be followed and the transport services to be used for the mails despatched during the statistical period are unknown or uncertain, the Administration of origin must, at the request of the Administration of destination, prepare for each mail a statement, green in colour, in conformity with Form C 23 annexed. The Administration of origin may also forward this statement without formal request on the part of the Administration of destination if circumstances seem to require this to be done.

The letter bills of the mails which involve the preparation of the statement in question must be clearly noted at the head “*Bulletin de transit*.” The same note underlined in red pencil is made on the special labels “*Statistique*” referred to in Article 162.

2.—The *bulletin de transit* must be forwarded unenclosed, with the mails to which it belongs, to the different services which participate in their carriage. In each country concerned, the inward and outward offices of exchange, to the exclusion of every other intermediate office, enter on the statement particulars concerning the transit which they effect. The last intermediate office of exchange forwards the statement C 23 to the office of destination. The statement is then returned by this office to the office of origin as a voucher for statement C 21. When a *bulletin de transit* of which the despatch has been requested or is announced at the head of the letter bill is missing, the office of destination must inquire for it without delay.

#### ARTICLE 168

##### **Extraordinary Services**

Apart from Air Mail services, the only services considered as extraordinary services giving rise to special transit charges are that maintained for the accelerated conveyance by land of the Indian Mail and the special motor services Palestine or Syria-Iraq.

### CHAPTER II

#### **Accounting. Settlement of Accounts**

#### ARTICLE 169

##### **Accounting for Transit Charges**

1.—For the preparation of the transit accounts, the light, medium or heavy bags, as defined in Article 163, are reckoned as being of the average weight of 3, 12 or 24 kilogrammes respectively.



2.—The weight of the closed mails is multiplied by 26 or 13 as the case may be, and the product thus obtained serves as the basis of special accounts determining in francs the yearly payments due to each Administration.

In cases where the multiplier 26 or 13 does not correspond to the normal traffic, the Administrations concerned come to an agreement for the adoption of another multiplier, which holds good during the years to which the statistics apply.

The duty of preparing the accounts devolve on the creditor Administration, which forwards them to the debtor Administration.

3.—In order to take into account the weight of the bags and packing and of the classes of correspondence exempt from all transit charges in accordance with the terms of Article 76 of the Convention, the total amount of the account for closed mails is reduced by 10 per cent.

4.—The detailed accounts are prepared in duplicate on a form identical with Form C 24 annexed, from the statements C 21. They are forwarded to the Administration of origin as soon as possible, and, at the latest, within a period of ten months following the close of the statistical period.

5.—If the Administration which has sent the detailed account has received no notice of amendments within an interval of four months, reckoning from the date of despatch, the account is regarded as fully accepted.

#### ARTICLE 170

### **General Annual Liquidation Account. Functions of the International Bureau**

1.—In the absence of any understanding to the contrary between the Administrations concerned, the general liquidation account consisting of transit charges, is prepared annually by the International Bureau.

2.—As soon as the detailed accounts between two Administrations are approved or regarded as fully accepted (Article 169, § 5), each of these Administrations forwards without delay to the International Bureau a statement identical with Form C 25 annexed and indicating the total amount of these accounts. On receipt of a statement from an Administration, the International Bureau gives notice of its receipt to the other Administration concerned.

Centimes are ignored in the balance.

In case of difference between the corresponding items furnished by two Administrations, the International Bureau invites them to come to an agreement, and to communicate to it the sums definitely agreed upon.

When one Administration only has furnished the statement C 25, the amounts indicated by this Administration hold good, unless the corresponding statement of the Administration which was in arrear reaches the International Bureau in time for the preparation of the next general annual liquidation account.

In the case provided for in Article 169, § 5, the statements must bear the indication "*Aucune observation de l'Administration débitrice n'est parvenue dans le délai réglementaire.*" (No comment has been received from the debtor Administration within the prescribed period.)

If two Administrations agree between themselves to effect a special settlement, their statements C 25 bear the note "*Compte réglé à part—à titre d'information*" (Account settled separately—for purposes of information), and are not included in the general annual liquidation account.

3.—At the end of each year the International Bureau prepares, on the basis of the statements which it has received up to that time and which are regarded

as fully accepted, a general annual liquidation account of transit charges. If necessary, it conforms to the rule laid down by Article 161, § 3, for annual payments.

This account shows:

- (a) the Debit and Credit of each Administration;
- (b) the debit balance or the credit balance of each Administration;
- (c) the sums to be paid by the debtor Administrations;
- (d) the sums to be received by the creditor Administrations.

The International Bureau arranges by setting-off balances to limit as far as practicable the number of payments to be made.

4.—The general annual liquidation accounts must be forwarded by the International Bureau to the Administrations as early as possible, and, at the latest, before the end of the first quarter of the year following the year of their preparation.

## ARTICLE 171

### Settlement of Transit Charges

1.—The balance resulting from the general annual liquidation account of the International Bureau or from the special settlements, including if necessary the adjustment prescribed by Article 161, § 3, is paid by the debtor Administration to the creditor Administration by one of the following methods:

- (a) at the choice of the debtor Administration in gold or by means of cheques or drafts fulfilling the conditions prescribed in § 2 hereafter, and payable at sight on the capital or on a commercial centre of the creditor country, or
- (b) following agreement between the two Administrations, through the intermediary of a bank clearing through the Bank of International Settlements at Bâle, or by any other means.

2.—In the case of payment by means of cheques or drafts, these cheques or drafts are expressed in the money of a country where the central issuing bank or other official issuing office buys and sells gold or gold currency for the national money at fixed rates determined by law or in virtue of an agreement with the Government.

If the currencies of several countries fulfil these conditions the creditor country indicates the currency which is convenient to it. The conversion is effected at the gold par rate.

3.—Following agreement between the two Administrations on the subject, cheques or drafts may also be drawn in the currency of the creditor country, even if this currency does not fulfil the conditions prescribed by § 2. In that case, the balance is converted at the gold par rate into the currency of a country fulfilling the conditions prescribed by § 2. The result arrived at is then converted into the currency of the debtor country and from this into the currency of the creditor country at the rate of exchange in the capital or at a commercial centre of the debtor country on the day of delivery of the order of purchase of the cheque or draft.

4.—The costs of the payment are borne by the debtor Administration.

5.—The payment above-mentioned must be made with as little delay as possible, and, at the latest, before the end of a period of four months from the date of despatch of the liquidation account by the International Bureau, or of the request for payment, addressed by the creditor Administration to the debtor Administration, in the case of an account settled separately. This period may be extended to five months in relations with distant countries.



If these periods are exceeded, the sums due are chargeable with interest, at the rate of 5 per cent per annum, from the date of the expiration of the periods of grace mentioned.

6.—If payment is not effected within one year after the expiration of the periods fixed in § 5 it is permissible for the creditor Administration to inform the International Bureau which then invites the debtor Administration to pay within a period not exceeding four months.

If payment is not effected at the expiration of this fresh period, the International Bureau shows the amount, together with the interest, in the next General Annual Liquidation Account, to the credit of the creditor Administration.

In the event of the application of the provisions of the preceding paragraph, the general liquidation account in question and those of the four following years must, as far as possible, exclude from the balances of Table 2 sums to be paid by the defaulting Administration to the creditor Administration concerned.

## PART VIII

### Miscellaneous Provisions

#### CHAPTER I

##### ARTICLE 172

#### Reply Coupons

1.—Reply coupons are identical with Form C 26 annexed. They are printed on paper bearing in watermark the letters U P U in large characters, under the supervision of the International Bureau which supplies them to Administrations at cost price.

2.—Each Administration has the option:

(a) of marking the coupons with a special perforation which does not prevent the reading of the text and is not of such a character as to hinder the checking of the coupons;

(b) of modifying, by hand or by a printing process, the selling price indicated on the coupons.

3.—The value of Reply Coupons is calculated at 35 centimes each in the liquidation accounts between Administrations.

4.—In the absence of other arrangements, the coupons exchanged are sent yearly and not later than three months after the end of the year to the Administrations which issued them, with a statement of their total number and value.

5.—As soon as two Administrations have agreed on the number of coupons exchanged between them, each draws up and forwards to the International Bureau a statement identical with Form C 27 annexed, indicating the debit or credit balance, if this balance exceeds 25 francs and if a special settlement has not been arranged between the two countries. If agreement cannot be reached within a period of six months, the creditor Administration prepares its liquidation account and forwards it to the International Bureau.

In the event of one only of the Administrations having furnished its statement, the entries of that Administration hold good.

The balance is included by the International Bureau in an annual liquidation account and payment is effected under the conditions prescribed in Article 171.

6.—When, in the relations between two Administrations, the yearly balance does not exceed 25 francs, the debtor Administration is exempt from all payments.

##### ARTICLE 173

#### Identity Cards

1.—Each Administration appoints the offices or services which issue Identity Cards.

2.—These cards are made out in the form indicated in Form C 28 attached. These forms are furnished at cost price by the International Bureau.

3.—The applicant must, at the time of application, hand in his photograph and prove his identity. Administrations take the necessary measures to ensure that cards shall only be issued after careful enquiry into the identity of the applicant.

The official enters the application in a register, fills up in ink and in Roman characters all the particulars required by the Identity Card, affixes to it the photograph in the space indicated, affixes the postage stamp representing the charge, half on this photograph and half on the card, and cancels it by a clear impression of the date-stamp.

He then makes a fresh impression of this stamp or of his official seal in such a way that it appears partly on the upper portion of the photograph and partly on the card, then repeats this impression on the front of the card, signs the card and delivers it to the applicant after having obtained his signature.

4.—When the appearance of the holder is so altered that the photograph or the description are no longer accurate, the card must be renewed.

5.—Each country retains the right to issue Identity Cards relative to the international service in accordance with the rules applied to the cards in use in its inland service.

Administrations may add a fly-leaf to Form C 28 for the purpose of any special notes which may be required by their inland service.

## ARTICLE 174

### Mails Exchanged With Ships of War

1.—The establishment of an exchange of closed mails between a Postal Administration and naval divisions or ships of war of the same nationality, or between one naval division or one ship of war and another naval division or another ship of war of the same nationality, must be notified, as far as possible in advance, to the intermediate Administrations.

2.—Such mails are addressed in the following form:

From the post office of . . . . .  
 For { the (nationality) naval division of (name of the)  
       division at . . . . . } (Country).  
       the (nationality) ship (name of the ship) at . . . . }

or

From the (nationality) naval division of (name of the)  
       division) at . . . . . } (Country).  
 From the (nationality) ship (name of the ship at . . . . }  
 For the post office of . . . . . }

or

For the (nationality) naval division of (name of the)  
       division) at . . . . . } (Country).  
 From the (nationality) ship (name of the ship) at . . . . }  
 For { the (nationality) naval division of (name of the)  
       division at . . . . . } (Country).  
       the (nationality) ship (name of the ship) at . . . . }

3.—Mails addressed to or sent from naval divisions or ships of war are forwarded, unless specially addressed as to route, by the most rapid routes, and in the same conditions as mails exchanged between post offices.

The captain of a mail-packet conveying mails for a naval division or a ship of war holds them at the disposal of the commanding officer of the naval division or ship addressed, in anticipation of the latter requiring delivery *en route*.

4.—If the ships are not at the place of destination when mails addressed to them arrive there, the mails are kept at the post office until fetched away by the

addressee or redirected to another place. Redirection may be demanded, either by the Postal Administration of origin, by the commanding officer of the naval division or the ship addressed, or by a Consul of the same nationality.

5.—Such of the mails in question as are addressed “*Aux soins du Consul d* ..... ” (Care of the Consul of ..... ) are delivered at the Consulate indicated. At the request of the Consul they may afterwards be received back into the postal service and redirected to the place of origin or to another address.

6.—Mails addressed to a ship of war are regarded as being in transit up to the time of their delivery to the commanding officer of that ship, even when they have been originally addressed to the care of a post office or to a Consul entrusted with the duty of acting as forwarding agent; they are not, therefore, regarded as having arrived at their address so long as they have not been delivered to the ship of war addressed.

## ARTICLE 175

### Franking Notes. Settlement of Customs Charges, Etc.

1.—The settlement concerning customs charges, etc., paid out by each Administration on behalf of another is effected by means of special monthly accounts identical with Form C 29 annexed, which are drawn up by the debtor Administration in the money of the creditor country. The franking notes are entered in alphabetical order of the offices which have advanced the amounts and in numerical order.

If the two Administrations concerned also participate in the parcel post service in their mutual relations, they may in the absence of other arrangements include in the settlements relating to parcel post franking notes those relating to the letter post.

2.—The special account, accompanied by the franking notes, is forwarded to the creditor Administration not later than the end of the month following that to which it relates. A blank account is not drawn up.

3.—The checking of the accounts takes place in accordance with the rules fixed by the Detailed Regulations of the Money Order Agreement.

4.—The accounts are settled specially. Each Administration may, however, request that these accounts be annexed either to the Money Order accounts or to the accounts CP 15 or CP 16 relating to postal parcels.

## ARTICLE 176

### Forms for the Use of the Public

For the purpose of applying the provisions of Article 31, § 2, of the Convention, the following are considered as forms for the use of the public:

- C 1 (Customs label),
- C 2 (Customs Declaration),
- C 3 (Franking Note),
- C 5 (Advice of delivery),
- C 8 (Trade Charge Money Order),
- C 10 (Redirection Envelope),
- C 11 (Request for { withdrawal from the post  
modification of address  
modification of Trade Charge),
- C 12 (Enquiry for a missing ordinary packet),
- C 13 (Enquiry for a registered packet, etc.),
- C 26 (Reply Coupon),
- C 28 (Identity Card).

## ARTICLE 177

**Period of Retention of Documents**

Documents relating to the international service must be preserved for a minimum period of two years.

## ARTICLE 178

**Telegraphic Address**

For telegraphic communications exchanged between them, Administrations use the telegraphic address "Postgen" followed by the name of the city in which the central Administration is situated.



PART IX  
**International Bureau**

CHAPTER I

ARTICLE 179

**Congresses and Conferences**

The International Bureau prepares the business to be submitted to Congresses and Conferences. It undertakes the printing and distribution of the necessary documents.

The Director of the International Bureau attends the sittings of Congresses and Conferences and takes part in the discussions, but without the right of vote.

ARTICLE 180

**Information. Requests for Modification of the Acts**

The International Bureau must hold itself always at the disposal of members of the Union for the purpose of furnishing them with any information they may require upon questions relating to the service.

It prepares a statement of the case whenever a request is made for modification or interpretation of the regulations which govern the Union, and notifies the results of consultations.

ARTICLE 181

**Publications**

1.—The International Bureau publishes, with the assistance of the documents which are put at its disposal, a special journal in the German, English, Spanish, and French languages.

2.—It publishes, in accordance with information furnished under the provisions of Article 189 below, an official summary of all information of general interest concerning the carrying out of the Convention and the Regulations in each country.

Similar summaries concerning the execution of the Agreements are published at the request of the Administrations participating in those Agreements.

3.—The International Bureau also publishes from details furnished by Administrations:

- (a) a summary of information concerning the organisation of the Administrations of the Union and of their internal services;
- (b) a summary of information concerning the fees charged by Administrations in their internal services;
- (c) a list of prohibited articles;
- (d) a list of mail steamship lines;
- (e) a list of kilometric distances relating to land routes;
- (f) a list of distant countries and countries *assimilés*;
- (g) a table of equivalents.

4.—Subsequent modifications of the various documents enumerated in §§ 2 and 3 are notified by circular.

5.—The documents published by the International Bureau are distributed to the Administrations, in proportion to the number of units of contribution assigned to each under Article 25 of the Convention.

Any additional copies of these documents which may be applied for by Administrations are paid for separately at cost price.

6.—The International Bureau undertakes the publication of an alphabetical dictionary of all the post offices in the world, with special indication of such of those offices as undertake services which have not yet become general. This dictionary is kept up to date by means of supplements or in any other manner which the International Bureau considers suitable.

The dictionary is distributed to the Administrations in the proportion of 10 copies to each unit of contribution assigned to each under Article 25 of the Convention. Any additional copies required by Administrations are paid for separately at cost price.

#### ARTICLE 182

### **Annual Report**

The International Bureau makes an annual Report on its work which is communicated to all the Administrations.

#### ARTICLE 183

### **Official Language of the International Bureau**

The official language of the International Bureau is French.

#### ARTICLE 184

### **Reply Coupons. Identity Cards**

The International Bureau undertakes the manufacture of reply coupons and identity cards, and supplies them to Administrations on demand.

#### ARTICLE 185

### **Balancing and Settlement of Accounts**

1.—The International Bureau undertakes the balancing and settlement of accounts of every description relative to the international postal service between the Administrations which express their desire to avail themselves of its services. They arrange accordingly with each other and with the Bureau.

2.—At the request of the Administrations concerned, telegraph accounts may also be notified to the International Bureau to be included in arriving at the balances due.

3.—Each Administration retains the right to prepare at its discretion special accounts for different branches of the service, and to settle them as it thinks fit with the corresponding Administrations, without employing the medium of the International Bureau, to which it simply indicates for what branches of the service and in respect of what countries it desires the services of the Bureau.

4.—Administrations which avail themselves of the services of the International Bureau for the balancing and liquidation of accounts may cease to use those services three months after giving notice to that effect.

## ARTICLE 186

**Preparation of Accounts**

1.—When the individual accounts have been checked and agreed upon, the debtor Administrations forward to the creditor Administrations, for each class of operations, an acknowledgment, made out in francs and centimes, of the amount of the balance of the two individual accounts, indicating the subject of the credit and the period to which it relates.

In the absence of any understanding to the contrary, an Administration which desires, for its own accounting purposes, to have general accounts, must prepare them itself and submit them to the corresponding Administration for acceptance.

Administrations may agree to apply another system in their relations with one another.

2.—Each Administration forwards to the International Bureau, monthly or quarterly, if special circumstances render it desirable, a statement showing the total Credit due to it on the individual accounts as well as the total of the sums which are due to it from each of the contracting Administrations; each credit appearing in this table must be supported by an acknowledgment from the debtor Administration.

This statement must reach the International Bureau not later than the 19th of each month or of the first month of each quarter. Failing this, it is included in the settlement of the month or the quarter following.

3.—The International Bureau checks the correctness of the statements by comparing the acknowledgments. Any correction that may be necessary is notified to the Administrations concerned.

The debit of each Administration to another is carried forward into a summary; the total of the amounts shown in the different columns of this summary form the total amount due from each Administration.

## ARTICLE 187

**General Balance Sheet**

1.—The International Bureau combines the tables and the summaries in one general balance sheet showing:

- (a) the total of the Debit and of the Credit of each Administration;
- (b) the debit or credit balance of each Administration;
- (c) the sums to be paid by the debtor Administrations and the division of the sums among the creditor Administrations.

As far as possible, it takes care that each Administration, in order to settle its debts, shall have to make only one or two distinct payments.

Nevertheless, an Administration which habitually finds a sum exceeding 50,000 francs owing to it from another has the right to claim remittances on account.

These remittances on account are entered, both by the creditor Administration and by the debtor Administration, at the foot of the statements to be forwarded to the International Bureau.

2.—The acknowledgments forwarded to the International Bureau with the tables are classified by Administrations.



They serve as the basis for settling the accounts of each of the Administrations concerned. In this settlement there must appear:

- (a) the sums relating to the special accounts concerning the different services;
- (b) the total of the sums resulting from all the special accounts relating to each of the Administrations concerned;
- (c) the totals of the sums due to all the creditor Administrations on account of each branch of the service, as well as their general total.

This total must be equal to the total of the Debit which appears in the summary.

At the foot of the settlement account, a balance is struck between the Debit and the Credit resulting from the statements forwarded by the Administrations to the International Bureau. The net amount of the Debit or of the Credit must be equal to the debit balance or to the credit balance carried into the general balance sheet. Moreover, the settlement account indicates the Administrations to which payment must be made by the debtor Administration.

The settlement accounts must be forwarded by the International Bureau to the Administrations concerned not later than the 22nd of each month.

#### ARTICLE 188

##### Payment

Payment of the sums due, under a settlement account, from one Administration to another must be made as soon as possible and at the latest a fortnight after receipt of the settlement account by the debtor Administration. The provisions of Article 171, § 1, are applicable as regards other conditions of payment. The provisions of § 5 of that Article are applicable to cases of non-payment of the balance within the fixed period.

Debit or credit balances not exceeding 500 francs may be carried forward to the settlement of the following month, provided, however, that the Administrations concerned are in monthly communication with the International Bureau. The amount brought forward is entered in the summaries and in the settlement accounts for the creditor and debtor Administrations. In such a case, the debtor Administration forwards to the creditor Administration an acknowledgment of the sum due, to be carried into the next statement.

#### ARTICLE 189

##### Communications to be addressed to the International Bureau

1.—Administrations forward to each other, through the medium of the International Bureau, three complete sets of their postage stamps and of impressions of their franking machines, with an indication of the date on which postage stamps of previous issues cease to be valid.

2.—They must also communicate to the International Bureau:

(a) the phrase that they have adopted under the provisions of Article 106, § 2, as the equivalent of the expression "*Taxe perçue*" or "*Port payé*";

(b) the reduced rates which they have adopted by virtue of Article 5 of the Convention, and a statement of the services to which these rates are applicable;

(c) particulars of the surtaxes which, by virtue of Articles 37 and 77 of the Convention, they collect to cover the cost of extraordinary services, as well as a list of the countries in respect of which these surtaxes are collected, and, if necessary, particulars of the services on which surtaxes are due;

(d) full information concerning customs or other regulations, as well as the prohibitions or restrictions governing the entry and transit of postal articles in their services;

(e) the number of Customs declarations required for packets addressed to their countries which are to be submitted to the Customs Authorities, and the language in which these declarations may be drawn up;

(f) information whether or not they admit articles liable to customs duty in correspondence prepaid at the letter rate;

(g) a list of kilometric distances concerning land routes followed in their country by transit mails;

(h) a list of the lines of Packets leaving their ports which are used for the conveyance of mails, indicating the routes, the distance and the duration of the voyage between the port of departure and each of the successive ports of call, the frequency of the service, and the countries to which the rates for sea transit must be paid if the Packets are used;

(i) their list of distant countries, and countries *assimilés*;

(j) their decision as regards the option to apply or not certain general provisions of the Convention and of the Regulations;

(k) full information concerning their organisation and inland services;

(l) their inland postage rates.

3.—Every modification in regard to information indicated in § 2 must be notified without delay.

4.—Administrations must furnish the International Bureau with two copies of all the documents which they publish, whether relating to the inland service or to the international service.

## ARTICLE 190

### General Statistics

1.—The International Bureau compiles general statistics for each year.

To this end, Administrations send to it a series as complete as possible of statistical returns on forms identical with forms C30 and C31 annexed. Table C30 is forwarded at the end of the month of July in each year; but the particulars included in Parts I, II and IV of this table are furnished once only every three years; Table C31 is also forwarded every three years, on the same date. The particulars furnished relate in every case to the preceding year.

2.—Transactions which are recorded in detail are embodied in periodical statements based upon the actual records.

3.—With regard to all other transactions, correspondence of all kinds is counted annually without distinction between letters, post-cards, commercial papers, printed papers, samples and small packets, and every three years at least, the different classes of correspondence are counted.

Each Administration fixes the time and duration of its counts.

4.—In the interval which elapses between the special statistics, the numbers of the different classes are estimated in accordance with the proportions given by the last special statistics.

5.—The International Bureau prints and distributes the statistical forms to be filled up by each Administration. It furnishes to Administrations on application all necessary information as to the rules to be followed, in order to ensure uniformity of practice in taking the statistics.



## ARTICLE 191

**Expenses of the International Bureau**

1.—The ordinary expenses of the International Bureau must not exceed the sum of 350,000 francs annually.

2.—The Swiss Postal Administration supervises the expenditure of the International Bureau, makes the necessary advances, and prepares the annual account, which is communicated to other Administrations.

3.—The sums advanced by the Swiss Postal Administration, in accordance with § 2, must be repaid by the debtor Administrations with as little delay as possible, and at latest before the 31st of December of the year of despatch of the account. If this period is exceeded, the sums due are chargeable with interest in favour of that Administration at the rate of 5 per cent per annum from the date of the expiration of the period mentioned.

4.—The countries of the Union are classified as follows, for the division of expenses:

1st class: Union of South Africa, Germany, United States of America, Argentine Republic, Commonwealth of Australia, Canada, China, Spain, France, United Kingdom of Great Britain and Northern Ireland, British India, Italy, Japan, New Zealand, Poland, Union of Soviet Socialist Republics;

2nd class:

3rd class: the whole of the island possessions of the United States of America other than the Philippine Islands, Belgium, Brazil, Egypt, Algeria, French Colonies and Protectorates in Indo-China, the whole of the other French Colonies, Mexico, Netherlands, Dutch East Indies, Roumania, Sweden, Switzerland, Czechoslovakia, Turkey, Kingdom of Yugoslavia;

4th class: Austria, Denmark, Finland, Hungary, Irish Free State, Chosen (Korea); Norway, Portugal, Portuguese Colonies in West Africa, Portuguese Colonies in East Africa, Asia and Oceania;

5th class: Bulgaria, Chile, Republic of Colombia, Estonia, Greece, Latvia, Morocco (except Spanish Zone), Morocco (Spanish Zone), Peru, Persia, Tunis;

6th class: Afghanistan, Albania, Bolivia, Republic of Costa Rica, Republic of Cuba, Danzig (Free City), Dominican Republic, Ecuador, Ethiopia, Guatemala, Republic of Haiti, Republic of Honduras, Lithuania, Luxemburg, Nicaragua, Republic of Panama, Paraguay, Curaçao and Surinam, Republic of El Salvador, Territory of the Sarre, Siam, Eastern Republic of Uruguay, United States of Venezuela;

7th class: Philippine Islands, Kingdom of Saudi Arabia, Colony of the Belgian Congo, the whole of the Spanish Colonies, Iraq, Iceland, the whole of the Italian Colonies, the whole of the Japanese Dependencies other than Chosen, Levant States under French mandate (Syria and Lebanon), Republic of Liberia, Republic of San Marino, State of the City of the Vatican, Yemen.

**Final Provisions**

## ARTICLE 192

**Entry Into Force and Duration of the Regulations**

The present Regulations shall come into force on the day on which the Universal Postal Convention comes into operation.

They shall have the same duration as that Convention, unless they are renewed by common consent between the parties concerned.

Done at Cairo, the 20th of March 1934.

(Here follow the signatures. They are the same as for the Convention except that there is no signature for the Free City of Danzig.)

# PROVISIONS REGARDING THE CONVEYANCE OF LETTER MAILS BY AIR

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# PROVISIONS REGARDING THE CONVEYANCE OF LETTER MAILS BY AIR

## CHAPTER I

### General Provisions

#### ARTICLE 1

##### Classes of Correspondence Admitted in the Air Mails

1. All the classes of correspondence indicated in Article 33 of the Convention are admitted to air conveyance, for the whole or part of the journey, viz., letters, single and reply-paid post-cards, commercial papers, printed papers of every kind (including impressions in relief for the use of the blind), samples of merchandise, small packets, as well as postal money orders, accounts for collection (*valeurs à recouvrer*) and subscribers' newspapers (*abonnements-poste*). In that case the articles are called "*Correspondances-avion*" (Air Mail Correspondence).

2.—The articles mentioned in Article 33 of the Convention may be registered and marked with trade charges to be collected on delivery.

3.—Insured letters and boxes may also be conveyed by air in the relations between countries which agree to the exchange of such articles by air.

#### ARTICLE 2

##### Freedom of Transit

The freedom of transit prescribed by Article 26 of the Convention is guaranteed for Air Mail correspondence throughout the entire territory of the Union, whether or not the intermediate Administrations take part in re-transmitting the correspondence.

#### ARTICLE 3

##### Routing of Air Mail Correspondence

1.—The Administrations which use air communications for the conveyance of their own correspondence are bound to forward, by the same means, the Air Mail correspondence which reaches them from other Administrations.

2.—Administrations which have no air service forward Air Mail correspondence by the most rapid routes used for mails.

The same regulation applies if, for any reason whatever, transmission by these other routes offers advantage over an existing air route.

3.—Attention must be paid to the routing instructions placed on Air Mail correspondence by the senders, provided that the route is one normally used by the postal service for the journey concerned.

4.—Closed Air Mails must be forwarded by the route requested by the Administration of the country of origin, provided that this route is used by the Administration of the country of transit for the transmission of its own mails.



## ARTICLE 4

**Rates of Postage and General Conditions for the Acceptance of Air Mail Correspondence**

1.—Articles for transmission by Air Mail are prepaid, in addition to the ordinary postal charges, with a special Air Mail fee, the amount of which is fixed by the Administration of the country of origin.

2.—In the services which are considered as ordinary services (article 12, § 10, hereafter) this fee must not exceed 15 centimes per 20 grammes per 1,000 kilometres of air conveyance; for post-cards and money orders the maximum fee is 15 centimes for each article per 1,000 kilometres of air conveyance.

Uniform fees must be fixed for the whole of the territory of the country of destination, whatever route is used.

In the services between European countries the maximum fee is 15 centimes per 20 grammes, irrespective of distance.

3.—The fees on Air Mail correspondence conveyed by extraordinary services (Article 12, § 11 hereafter) are fixed with regard to the extraordinary expenditure which the use of these services occasions.

4.—For articles other than letters, post-cards, money orders, and accounts for collection, the fees collected in accordance with the provisions of §§ 2 and 3 may be reduced to  $\frac{1}{3}$ th as a minimum.

5.—Administrations have the option of charging no special fee for transmission by air, provided that information is given to the country of destination and previous agreement is reached with the transit countries.

6.—The fees must be paid before despatch.

7.—The fee for a reply-paid post-card is collected for each half separately at the point of departure of each of these halves.

8.—Air Mail correspondence is prepaid in the manner laid down in Article 47 of the Convention. However, without regard to the class of correspondence, the prepayment may be represented by a manuscript note, in figures, of the amount collected, expressed in the currency of the country of origin in the form:

*"Taxe perçue: Fr. c."* (Amount collected: Fr. c.).

This indication may appear either in a special stamp impression or on an adhesive stamp or special label, or simply be inscribed on the address side of the article by any method whatever. In all cases the indication must be supported by an impression of the date-stamp of the office of origin.

## ARTICLE 5

**Unpaid or Insufficiently Prepaid Air Mail Correspondence**

1.—In the case of entire absence of prepayment, Air Mail correspondence is treated in conformity with the provisions of Articles 35 and 36 of the Convention. Articles on which the prepayment of postage is not compulsory before despatch are transmitted by ordinary routes.

2.—In the case of insufficient prepayment, Air Mail correspondence is transmitted by Air Mail if the charges prepaid represent at least the amount of the Air Mail fee. Administrations of origin have the option of forwarding this correspondence by air when the charges prepaid represent 25 per cent at least of the amount of the Air Mail fee.

The provisions of Article 36 of the Convention apply as regards the collection of postal charges not prepaid at the time of despatch.

3.—When articles not prepaid at least 25 per cent of the Air Mail fee are forwarded by ordinary route, the office of posting or the office of exchange must strike out all notes relating to transmission by Air Mail and indicate briefly the reasons for the transmission by the ordinary route.

#### ARTICLE 6

##### **Delivery of Air Mail Correspondence**

1.—Air Mail correspondence is delivered with the utmost rapidity possible and must at least be included in the first delivery which follows its arrival at the office of delivery.

2.—The senders have the right to request delivery by special messenger, immediately after arrival, on prepayment of the special express delivery fee prescribed by Article 45 of the Convention. This right exists only in relations between countries which have organised the express delivery service in their reciprocal relations.

3.—When the regulations of the country of destination permit, the addressees may request the delivering office to deliver Air Mail correspondence to their address immediately on its arrival. In this case the Administrations of destination are authorised to collect on delivery a special fee which may not exceed the express fee prescribed by article 45 of the Convention.

4.—On payment of a supplementary charge, Administrations may, after agreement, effect delivery by special means, in particular by the use of pneumatic tubes.

#### ARTICLE 7

##### **Redirection and Return of Air Mail Correspondence**

1.—Air Mail correspondence addressed to persons who have changed their address is forwarded to the new address by ordinary means of conveyance, unless the addressee has expressly asked for redirection by Air Mail and has paid in advance to the redirecting office the Air Mail fee for the new transmission. Undeliverable correspondence is returned to origin by ordinary route.

2.—If redirection or return takes place through ordinary postal channels, the Air Mail label "*Par Avion*" and all annotations relative to transmission by Air Mail must be struck out officially by means of two thick transverse strokes.

### CHAPTER II

#### **Registered Articles and Insured Articles**

#### ARTICLE 8

##### **Registered Articles**

Registered articles are subject to the postage charges and general conditions of acceptance prescribed by the Convention. They must be prepaid, in addition, with the same Air Mail fees as ordinary articles.

#### ARTICLE 9

##### **Responsibility**

Postal Administrations accept, for registered articles sent by Air Mail, the same responsibility as for other registered articles.



## ARTICLE 10

**Insured Articles**

1.—Administrations which admit insured articles to conveyance by Air Mail are authorised to collect on account of those articles a special insurance fee of which they fix the amount.

The total of the ordinary insurance fee and of the special fee must not exceed double the limit fixed by Article 3 (c) of the Agreement concerning insured letters and boxes.

2.—So far as concerns insured articles sent in closed mails through the territory of countries which are not parties to the Agreement concerning insured articles or transmitted by Air services for which the countries in question do not accept responsibility for insured articles, the responsibility of these countries is limited to that prescribed for registered articles.

## CHAPTER III

**Allocation of Air Mail Fees. Rates for Conveyance**

## ARTICLE 11

**Allocation of Air Mail Fees**

Each Administration keeps the whole of the Air Mail fees which it collects.

## ARTICLE 12

**Rates for Air Conveyance of Closed Mails**

1.—The provisions of Article 75 of the Convention concerning transit rates apply only to the land or sea transport, if any, of Air Mail correspondence.

2.—Administrations which undertake the transmission of Air Mail correspondence by air, either as the intermediate Administration or as the Administration of destination are entitled, on this account, to be credited with the rates for conveyance.

In so far as concerns the Administration of destination this credit must be uniform for all the services effected in its internal system.

3.—If two countries are connected by several air lines, the rates for conveyance are calculated according to the mean distance of these routes and their importance for international traffic. The same applies to the credit due for transport within the country of destination.

4.—The rates for conveyance applicable to the same air service are uniform for all Administrations which use this service without sharing in the working expenses.

5.—Apart from the exceptions allowed in §§ 6 and 7 below, the rates for air conveyance are payable to the postal Administration of the country in which is situated the aerodrome at which the mails are taken over by the air service.

6.—The Administration which hands to an air transport undertaking mails intended for conveyance successively by several distinct air services may, if it has agreed with the intermediate Administrations, pay directly to that undertaking the rates for conveyance for the whole route. The intermediate Administrations have, for their part, the right to demand the application pure and simple of the provisions of § 5.

7.—As an exception to the provisions of §§ 5 and 6, each Administration which maintains an air service retains the right to collect direct from each Administration which uses that service the rates for conveyance applicable to the whole of the route.

8.—The rates for air conveyance of Air Mail correspondence despatched in closed mails are borne by the Administration of the country of origin.

9.—In the absence of agreement to the contrary between the postal Administrations concerned, the transfer in the same aerodrome, in course of transmission, of mails conveyed successively by several distinct air services must be performed by the postal Administration of the country in which the transfer takes place. This rule does not apply when the transfer takes place between machines performing successive stages of the same service.

10.—The basic tariff to be applied to the settlement of accounts between Administrations in respect of air transport (ordinary services) is fixed per kilogramme of gross weight and per kilometre, at .006 francs as a maximum. This tariff is applied proportionally to fractions of a kilogramme.

Air Mails conveyed in the internal service are subject to the same tariff.

11.—The charges for conveyance specified above do not apply to conveyance effected by means of services of which the establishment and maintenance entail extraordinary expenditure (extraordinary services). The cost of transport applicable to these services is fixed, per kilogramme, by the Administrations to which these services belong. They are applied proportionally to fractions of a kilogramme.

12.—The rates for conveyance mentioned above are due also for correspondence exempt from transit rates, as well as for mails or correspondence mis-sent, in cases where these are despatched by air.

13.—The Administrations of the countries flown over have no right to payment for mails conveyed by air over their territory.

#### ARTICLE 13

##### **Rates for Conveyance à découvert of Air Mail Correspondence**

1.—The charges for conveyance of Air Mail correspondence which is exchanged *à découvert* between two Administrations must be calculated in accordance with the provisions of Article 12, §§ 1 to 5 and 10 to 12.

In order to determine the charges for conveyance, the net weight of these articles is increased by 10 per cent.

2.—An Administration which despatches Air Mail correspondence in transit *à découvert* to another Administration must pay to that Administration all the charges due in respect of subsequent air conveyance.

#### CHAPTER IV

##### **International Bureau**

#### ARTICLE 14

##### **Communications to be Addressed to the International Bureau and to Administrations**

1.—Administrations must communicate to the International Bureau by means of a list identical with Form AV1, annexed, full information concerning Air Mails.

2.—The list prescribed by § 1 must be forwarded regularly twice a year, at least a fortnight before the commencement of the summer and winter services. Any modification must be notified without delay.

3.—The International Bureau draws up, from the information entered on the Forms AV1 and the other communications which it receives, a list of general information concerning the Air Mail service.

This general list, which must conform to Form AV1, is distributed to Administrations without delay.

The International Bureau is also entrusted with the preparation of maps indicating the internal and international Air Mail lines of all countries.

4.—For provisional information, a copy of list AV1, referred to at § 1, is forwarded by each Administration directly to all Administrations which request it.

5.—In addition Administrations communicate regularly to all Administrations with which they are connected by Air lines, complete time-tables of their internal and international air services at least a fortnight before the commencement of each season. In their relations with other Administrations these particulars are furnished only on demand.

## CHAPTER V

### Accounting Regulations

#### ARTICLE 15

##### Statistics

1.—The general accounting for the charges for air conveyance is based on statistical returns taken in the seven days which follow the 14th of June and the 14th of November in each year. The data obtained from the June statistics form the basis for the payments due for the summer service; those from the November statistics form the basis in regard to the winter service.

2.—The statistics relating to services which are not in operation during the regular statistical periods are taken after agreement between the Administrations concerned.

3.—As a temporary measure, the Administration responsible for the conveyance by air has the right to demand that the settlement of accounts shall take place quarterly or half-yearly on the basis of the gross weight of the mails or of the net weight increased by 10 per cent of articles sent *à découvert* actually conveyed during the period in question. In this case, the provisions of Articles 17, 19 and 20 hereafter, are applied to the verification of the weights and to the preparation of the accounts, it being understood that the statements AV3 and AV4 must be drawn up monthly for all the air services performed.

#### ARTICLE 16

### Make-Up of Ordinary or Air Mails During Air Mail Statistical Periods

The provisions of Article 162 of the Detailed Regulations of the Convention are not applicable to the half-yearly statistics for calculating the charges for conveyance by air. However, during these statistical periods, the labels or addresses of mails containing Air Mail correspondence must be conspicuously marked "*Statistique-avion*."



## ARTICLE 17

**Establishment of the Weight of Air Mails**

1.—During the statistical periods, the date of despatch and the gross weight of the mail are entered on the label or outer address of the mail. The enclosure of one Air Mail in another mail of the same kind is forbidden.

2.—If correspondence *à découvert* intended for onward transmission by air is included in an ordinary or Air Mail, it must be made up into a bundle labelled "Par Avion" accompanied by a statement identical with Form AV2, annexed. The weight of transit correspondence forwarded *à découvert* is shown separately for each country of destination. The letter bill is headed "Bordereau AV2."

3.—These entries are checked by the office of exchange of destination. If that office finds that the actual weight differs by more than 20 grammes from the weight advised, it corrects the label or the statement AV2 and notifies the error immediately to the despatching office of exchange by means of a verification note. In the case of closed mails a copy of this verification note is sent to each intermediate Administration. If the differences in weight ascertained are within the above-mentioned limits, the entries of the office of despatch are accepted as valid.

## ARTICLE 18

**List of Closed Air Mails**

As soon as possible, and, in every case, within a period of 15 days after each statistical period, the Administrations which have despatched closed Air Mails send a list of these mails to the different Administrations whose air services they have used, including, if necessary, the Administration of destination.

## ARTICLE 19

**Accounting for Air Transport Charges on the Basis of Statistics**

1.—During the statistical periods, the intermediate Administrations take note, in a statement in accordance with Form AV3 annexed, of the weights shown on the labels or outer addresses of the Air Mails that they have reforwarded by air either in their internal services or beyond the frontier of their countries. A statement is prepared for each office of exchange despatching Air Mails.

2.—The Administrations receiving Air Mails which undertake the retransmission by air of the Air Mail correspondence contained therein, either in their internal service or beyond the frontiers of their countries, prepare a statement, in accordance with Form AV4 annexed, from the particulars given on the statements AV2. The same procedure applies as regards Air Mail correspondence contained in ordinary mails.

3.—As soon as possible, and, at the latest, six weeks after the close of the statistical operations, the statements AV3 and AV4 are forwarded to the despatching offices of exchange for acceptance. These offices, after having accepted the statements, forward them, in their turn, to their central Administration which returns them to the central creditor Administration.

4.—If the creditor Administration has received no notice of amendments within an interval of three months reckoning from the date of despatch, the statements are regarded as fully accepted. In the case of distant countries this period is extended to four months.

## ARTICLE 20

**Accounting for Air Transport Charges**

1.—The gross weights of mails and the net weight increased by 10 per cent of *à découvert* correspondence shown in statement AV3 or AV4 are multiplied by a figure corresponding to the frequency of the summer and winter services, and the products thus obtained serve as the basis of special accounts determining in francs the transport payments accruing to each Administration for the current half-year.

2.—The duty of preparing these accounts devolves on the creditor Administration which forwards them to the debtor Administration.

3.—The special accounts are prepared in duplicate and forwarded to the debtor Administration as soon as possible. If the creditor Administration has received no notice of amendments within an interval of three months reckoning from the date of despatch, this account is regarded as fully accepted.

## ARTICLE 21

**General Account**

In the absence of any understanding to the contrary between the Administrations concerned, the general account of air transport charges is prepared twice a year by the International Bureau in accordance with the regulations fixed for the account relating to transit charges.

## CHAPTER VI

**Miscellaneous Provisions**

## ARTICLE 22

**Special Marking of Air Mail Correspondence**

Air Mail correspondence has affixed on despatch a special blue label or stamp impression bearing the words "*Par avion*" (By Air Mail) and optionally with a translation in the language of the country of origin.

## ARTICLE 23

**Special Marking of Air Mails**

When the articles forwarded by air necessitate the making up of separate mails the latter must be enclosed in blue covers, or in bags either entirely blue or bearing wide blue bands.

## ARTICLE 24

**Partial Transmission by Air**

When the sender desires that his correspondence shall be forwarded by air for part of the air route only, he must indicate this on the correspondence by means of a note in the language of the country of origin and in the French language "*Par Avion de . . . à . . .*". At the end of the air transmission the Air Mail label "*Par Avion*" as well as the special annotation must be struck out officially by means of two thick transverse strokes.



## ARTICLE 25

**Method of Despatching Air Mail Correspondence**

1.—The provisions of Articles 154, § 2(a) and 156 of the Detailed Regulations of the Convention apply by analogy to Air Mail correspondence included in ordinary mails. The labels of the bundles must bear the annotation "*Par Avion.*"

In the case of the inclusion of registered air mail correspondence in the ordinary mails, the note "*Par avion*" (By Air Mail) must be made in the space prescribed in § 2 of Article 156 for the note "*Exprès*" (Express).

If insured air mail correspondence is included in the ordinary mails, the note "*Par avion*" (By Air Mail) is made in the "Observations" column of the despatch lists against the respective entries.

2.—Transit Air Mail correspondence forwarded *à découvert* in an air mail or in an ordinary mail, and which is to be re-forwarded by air by the country of destination of the mail, is made up into a special bundle and labelled "*Par avion.*"

3.—The country of transit may request the formation of special bundles according to the country of destination. In this case each bundle is provided with a label bearing the note "*Par avion pour . . .*".

## ARTICLE 26

**Notes to be Made on the Letter Bills and Despatch Lists and Labels of Air Mails**

2.—The letter bills and the despatch lists which accompany Air Mails must bear an Air Mail label "*Par avion*" at the head. The same label is affixed to the labels and addresses of these mails.

## ARTICLE 27

**Interruption in the Flight of an Air Mail Aeroplane Owing to an Accident**

1.—If, in consequence of an accident *en route*, an aeroplane is unable to continue its journey and call at the prescribed stopping places, the staff on board must deliver the mails to the Post Office nearest to the place of the accident or to the office most suitable for re-forwarding the mails. This office, after checking the state of the mails and, if necessary, repairing damaged correspondence, forwards the mails by the most rapid routes to the offices of destination.

2.—The particulars of the incident and the measures taken are notified by Verification Note to the offices of destination of the mails concerned; a copy of the Verification Note is sent to the office of origin of the mails.

## ARTICLE 28

**Customs Clearance of Correspondence Liable to Customs Duty**

The Administrations take steps to accelerate as much as possible the clearance through the Customs of Air Mail correspondence liable to Customs duty.

## ARTICLE 29

**Application of the Provisions of the Convention and Agreements**

The provisions of the Convention and Agreements, and their Detailed Regulations, except the Parcel Post Agreement and its Detailed Regulations, are applicable as regards everything which is not expressly provided for in the preceding Articles.

## ARTICLE 30

**Entry Into Force and Duration**

The present provisions shall come into force on the day on which the Convention comes into operation.

They shall have the same duration as that Convention, unless they are renewed by common consent between the parties concerned.

Done at Cairo, the 20th of March, 1934.

(Here follows the signatures. They are the same as for the Convention.)

# FINAL PROTOCOL TO THE PROVISIONS REGARDING THE CONVEYANCE OF LETTER MAILES BY AIR

## I

### Air Transport Charges for Closed Mails

The Administrations of British India and of the Union of Soviet Socialist Republics have the option of collecting for each section of their inland air service the transport charges prescribed by Article 12.

## II

### Right of Reducing the Unit of Weight for Air Mail Correspondence

Where the system of weights permits, Administrations have the right to adopt a unit of weight less than that of 20 grammes prescribed by Article 4, § 2. In this case the fee is fixed according to the unit of weight adopted.

## III

### Exceptional Charges in Favour of Certain European Countries

European Administrations, which, owing to the geographic situation of their territory, experience difficulty in adopting a uniform charge for the whole of Europe are authorised to collect charges proportionate to the distances, in accordance with provisions of Article 4, § 2.

This right is also accorded to the other European countries for their traffic with the countries referred to in the preceding paragraph.

Done at Cairo the 20th March, 1934.

(Here follow the signatures. They are the same as for the Convention.)

(Translation)

### LIST OF INSTRUMENTS SIGNED AT CAIRO, MARCH 20, 1934

Universal Postal Conventions and Annexes.....	A.
Agreement concerning insured letters and boxes and annexes.....	B.
Agreement concerning parcel post and annexes.....	C.
Agreement concerning Money Orders and annex.....	D.
Agreement concerning postal transfers and annex.....	E.
Agreement concerning collection of bills, drafts, etc., and annex.....	F.
Agreement concerning postal subscriptions and annex.....	G.

Countries	Instruments ratified	Date of deposit of ratifications
Saudi Arabia.....	A, B, C, D, E, F, G.....	October 21, 1934
Netherlands <sup>(1)</sup> .....	A, B, C, D, E, F, G.....	October 23, 1934
United States of America <sup>(2)</sup> .....	A.....	November 14, 1934
Whole of the Island Possessions of the United States of America other than the Philippine Islands.....	A.....	November 14, 1934
Switzerland.....	A, B, C, D, E, F, G.....	November 20, 1934
Norway.....	A, B, C, D, F, G.....	December 3, 1934
Sweden.....	A, B, C, D, E, F, G.....	December 3, 1934
Canada.....	A.....	December 3, 1934
Japan, Chosen and the whole of other Japanese Dependencies.....	A, B, C, D, E.....	December 12, 1934
Denmark.....	A, B, C, D, E, F, G.....	December 18, 1934

<sup>(1)</sup> The Royal Legation of the Netherlands at Cairo has informed the Minister for Foreign Affairs of the Kingdom of Egypt that such ratification does not apply to the Agreement concerning postal transfers as regards Surinam and Curaçao; it is therefore valid for countries in Europe and Dutch Indies only. Nor does it apply to the Agreement concerning subscriptions to newspapers and periodicals as regards Dutch Indies, Surinam and Curaçao. It is therefore valid for countries in Europe only. With regard to the Postal Convention and other Agreements, the ratification is valid for countries in Europe, Dutch Indies, Surinam and Curaçao.

<sup>(2)</sup> The Government of the United States of America desire that their ratification of the Convention apply to Samoa and to the Panama Canal Zone.

Countries	Instruments ratified	Date of deposit of ratifications
State of the City of the Vatican.....	A, B, C, D, E, F, G.....	December 26, 1934
Egypt.....	A, B, C, D, E, F, G.....	December 30, 1934
Philippine Islands.....	A.....	December 31, 1934
Cuba.....	A.....	January 2, 1935
New Zealand <sup>(1)</sup> .....	A, B.....	January 30, 1935
Germany.....	A, B, C, D, E, F, G.....	February 16, 1935
Belgium.....	A, B, C, D, E, F, G.....	February 18, 1935
Iceland.....	A, B, C, D, F.....	February 27, 1935
Panama.....	A, C.....	February 28, 1935
Austria.....	A, B, C, D, E, F, G.....	March 5, 1935
Commonwealth of Australia <sup>(2)</sup> .....	A.....	March 8, 1935
Chile.....	A, B, C, D, E, F, G.....	March 26, 1935
United Kingdom of Great Britain and Northern Ireland <sup>(3)</sup> .....	A, B.....	March 30, 1935
Ireland <sup>(4)</sup> .....	A, B, C, D, E, F, G.....	April 6, 1935
Mexico.....	A.....	April 13, 1935
Spain <sup>(5)</sup> .....	A, B, C, D, E, F, G.....	April 24, 1935
Union of Soviet Socialist Republics.....	A, B.....	April 26, 1935
Hungary.....	A, B, C, D, E, F, G.....	May 1, 1935
Czechoslovakia.....	A, B, C, D, E, F, G.....	May 5, 1935
United States of Venezuela.....	A, C.....	May 10, 1935
Belgian Congo.....	A, B.....	May 23, 1935
British India.....	A, B, C.....	June 2, 1935
Finland.....	A, B, C, D, E, F, G.....	July 4, 1935
Iran.....	A, B, C, D.....	September 4, 1935
Poland.....	A, B, C, D, E, F, G.....	September 17, 1935
Union of South Africa <sup>(6)</sup> .....	A.....	September 17, 1935
Ethiopia.....	A, B, C, D, E, F, G.....	September 22, 1935

(1) N.B.—It should be noted that the delegation of New Zealand, at the time of signature of the Convention and Agreement concerning insured letters and boxes, declared that their acceptance of the said instruments comprised the mandated Territory of Western Samoa.

(2) N.B.—It should be noted that the delegation of the Commonwealth of Australia, at the time of signature of the Convention, declared that their acceptance of the said Convention included Overseas Territories or mandated Territories mentioned on page 35 of the Convention.

(3) N.B.—The ratification of the United Kingdom of Great Britain and Northern Ireland is extended to Colonies, Overseas Territories, Protectorates and Territories under suzerainty or mandate enumerated on pp. 35 and 36 of the Convention.

(4) Italy's instrument of ratification implies Tripolitania, Cyrenaic, Eritrea and Somaliland.

(5) Spain's ratification extends to the whole of the Spanish Colonies as well as to Morocco (Spanish Zone).

(6) N.B.—It should be noted that the delegation of the Union of South Africa, at the time of signature of the Convention, declared that their acceptance of the said Convention implied the mandated Territory of South West Africa.

#### ACCESSIONS NOTIFIED TO THE GOVERNMENT OF THE KINGDOM OF EGYPT IN ACCORDANCE WITH ARTICLE XII. OF THE FINAL PROTOCOL OF THE UNIVERSAL POSTAL CONVENTION

Countries	Accessions	Date of Notification of Accession	Date of Receipt of Notification
Yemen.....	A, B, C, D, E, F, G.....	Aug. 5, 1934.....	Aug. 20, 1934
Luxemburg.....	A, B, C, D, E, F, G.....	Aug. 7, 1934.....	Aug. 18, 1934
Salvador.....	A, C, D.....	Dec. 29, 1934....	Dec. 30, 1934



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TREATY SERIES, 1935

No. 24

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TREATY SERIES

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## TREATY SERIES, 1935

### CLASSIFIED INDEX

#### GENERAL TREATIES TO WHICH CANADA IS A PARTY

No.	Nature of Instrument	Place and date of	
		Signature	Canadian Ratification (Deposit)
23	International Convention. Regulation of Whaling. Canada, Albania, Australia, Belgium, Colombia, Czechoslovakia, Denmark, Finland, France, Germany, Great Britain and Northern Ireland, Greece, India, Italy, Mexico, New Zealand, Norway, the Netherlands, Poland, Roumania, Spain, South Africa, Switzerland, Turkey, United States of America, Yugoslavia.	Geneva, September 24, 1931	Geneva, December 12, 1935
22	Agreement. War Graves. Canada, Australia, France, Germany, India, New Zealand, South Africa, United Kingdom.	Berlin, December 20, 1935	Not required

## TREATIES, ETC., WITH THE FOLLOWING COUNTRIES IN ALPHABETICAL ORDER

No.	Nature of Instrument	Place and date of	
		Signature	Ratification (Exchange)
3	Austria. Exchange of Notes. Indefinite extension of Commercial Agreement of July 6/8, 1933.	London, December 27, 1934 January 3, 1935	Not required
16	Austria. Convention regarding legal proceedings in Civil and Commercial matters.  Extended to Canada as from August 1, 1935, by an Exchange of Notes.	London, March 31, 1931  Ottawa, May 17, 1935 Vienna, July 1/3, 1935	Vienna, January 12, 1932  Not required
7	France and Algeria. Convention. Money orders.	Ottawa, April 17, 1935	Not required
11	Germany. Convention regarding legal proceedings in Civil and Commercial matters.  Extended to Canada as from August 1, 1935, by an Exchange of Notes.	London, March 20, 1928  Ottawa, May 17, 1935 Berlin, July 1 and November 11/29, 1935	Berlin, February 15, 1929  Not required
5	Hayti. Exchange of Notes. Commercial "Modus vivendi."	Port-au-Prince, April 12 and 13, 1935	Not required
10	Hayti. Exchange of Notes. Extension of commercial "modus vivendi" of April 12/13, 1935.	Port-au-Prince, May 22, June 7/10, 1935	Not required
2	Iceland. Exchange of Notes. Renewal of Arbitration Convention of October 25, 1905.	London, October 10, 1935	Not required
14	Italy. Convention regarding legal proceedings in Civil and Commercial matters.  Extended to Canada as from August 1, 1935, by an Exchange of Notes.	London, December 17, 1930  Ottawa, May 17, 1935 Rome, July 1/10, 1935	London, June 7, 1932  Not required
21	New Zealand. Trade Agreement. Extension of Agreement in May 1935. Extension and modification of Agreement in November 1935.	Ottawa and Wellington, April 23, 1932	Not required
15	Norway. Convention regarding legal proceedings in Civil and Commercial matters.  Extended to Canada as from August 1, 1935, by an Exchange of Notes.	London, January 30, 1931  Ottawa, May 17, 1935 Oslo, July 1/20, 1935	London, August 7, 1931  Not required
6	Poland. Convention. Tonnage measurement of Merchant ships.	Warsaw, April 16, 1934	London, March 21, 1935



## TREATIES, ETC., WITH THE FOLLOWING COUNTRIES IN ALPHABETICAL ORDER

No.	Nature of Instrument	Place and date of	
		Signature	Ratification (Exchange)
18	Poland. Convention regarding legal proceedings in Civil and Commercial matters.  Extended to Canada as from August 1, 1935, by an Exchange of Notes.	Warsaw, August 26, 1931  Ottawa, May 17, 1935 Warsaw, July 1/23, 1935	London, May 31, 1932  Not required
17	Portugal. Convention regarding legal proceedings in Civil and Commercial matters.  Extended to Canada as from August 1, 1935, by an Exchange of Notes.	London, July 9, 1931  Ottawa, May 17, 1935 Lisbon, July 1/16, 1935	Lisbon, April 13, 1932  Not required
4	Roumania. Exchange of Notes. Modification of Agreement of July 27, 1934 concerning consular fees on certificates of origin.	Ottawa, January 4/11, 1935	Not required
8	South Africa. Exchange of Notes. Commercial Agreement.	Pretoria August 2, 1935 Ottawa, August 31, 1935	Not required
12	Spain. Convention regarding legal proceedings in Civil and Commercial matters.  Extended to Canada as from August 1, 1935, by an Exchange of Notes.	London, June 27, 1929  Ottawa, May 17, 1935 Madrid, July 1/7, 1935	Madrid, April 9, 1930  Not required
13	Sweden. Convention regarding legal proceedings in Civil and Commercial matters.  Extended to Canada as from August 1, 1935, by an Exchange of Notes.	London, August 28, 1930  Ottawa, May 17, 1935 Stockholm, July 1/8, 1935	London, January 16, 1931  Not required
19	Turkey. Convention regarding legal proceedings in Civil and Commercial matters. Extended to Canada as from August 1, 1935, by an Exchange of Notes.	Angora, November 28, 1931  Ottawa, May 17, 1935 Angora, July 1/9, 1935	London, April 12, 1933  Not required
1	United Kingdom. Agreement. Reciprocal exemption from income tax in certain cases.	Ottawa, October 3, 1935	Not required
9	United States. Exchange of Notes. Extension for one year and modification of the Agreement of September 15/16, 1932, concerning flights of military aircrafts.	Ottawa, September 23/24 and November 5, 1935	Not required
20	United States. Convention. Settlement of certain complaints arising from the operation of the smelter at Trail, B.C.	Ottawa, April 15, 1935	Ottawa, August 3, 1935



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No. 1



AGREEMENT  
BETWEEN  
CANADA AND THE UNITED KINGDOM  
PROVIDING FOR  
RECIPROCAL EXEMPTION FROM INCOME TAX  
IN CERTAIN CASES OF PROFITS OR GAINS  
ARISING THROUGH AN AGENCY

Signed at Ottawa October 3, 1935

IN FORCE RETROACTIVELY FROM APRIL 6, 1930



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AGREEMENT  
BETWEEN  
CANADA AND THE UNITED KINGDOM  
PROVIDING FOR  
RECIPROCAL EXEMPTION FROM INCOME TAX  
IN CERTAIN CASES OF PROFITS OR GAINS  
ARISING THROUGH AN AGENCY

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Signed at Ottawa, October 3rd, 1935



OTTAWA  
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**AGREEMENT BETWEEN CANADA AND THE UNITED KINGDOM  
FOR RECIPROCAL EXEMPTION OF CERTAIN AGENCY  
PROFITS FROM INCOME TAX**

*(Signed at Ottawa the 3rd October, 1935)*

His Majesty's Government in Canada and His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland, being desirous of concluding an agreement for reciprocal exemption from income tax in certain cases of profits or gains arising through an agency, have agreed as follows:—

*Article 1*

His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland undertake that the profits or gains to which this Article relates shall, so long as the exemption specified in Article 2 hereof remains effective, be exempted from Income Tax (including Sur-tax) chargeable in the United Kingdom for the year of assessment commencing on the sixth day of April, nineteen hundred and thirty, and for every subsequent year of assessment, and will take the necessary action under section seventeen of the Act of Parliament of the United Kingdom known as the Finance Act, 1930, with a view to giving the force of law to the exemption aforesaid.

The profits or gains to which this Article relates are any profits or gains from the sale of goods, other than things in action and money, arising, whether directly or indirectly, through an agency in the United Kingdom, to a person who is resident in Canada and is not resident in the United Kingdom, unless the profits or gains either—

- (1) arise from the sale of goods from a stock in the United Kingdom, or
- (2) accrue directly or indirectly through any branch or management in the United Kingdom or through an agency in the United Kingdom where the agent has and habitually exercises a general authority to negotiate and conclude contracts.

*Article 2*

His Majesty's Government in Canada undertake that the profits or gains to which this Article relates shall, so long as the exemption specified in Article 1 hereof remains effective, be exempted from income tax chargeable by the Dominion of Canada in respect of the 1930 taxation period and fiscal periods ending therein, and thereafter, and will take the necessary action under subsection 3 of section 27A of the Income War Tax Act as enacted by section 14 of Chapter 55 of the Statutes of 1934 with a view to giving the force of law to the exemption aforesaid.

The profits or gains to which this Article relates are any profits or gains from the sale of goods, other than things in action and money, arising, whether directly or indirectly, through an agency in Canada to a person who is resident in the United Kingdom and is not resident in Canada, unless the profits or gains either—

- (1) arise from the sale of goods from a stock in Canada, or
- (2) accrue directly or indirectly through any branch or management in Canada, or through an agency in Canada where the agent has and habitually exercises a general authority to negotiate and conclude contracts.

*Article 3*

For the purposes of this Agreement the word "person" includes any body of persons, corporate or not corporate, and a body corporate shall be regarded as resident in the United Kingdom if its business is managed and controlled in the United Kingdom, and shall be regarded as resident in Canada if its business is managed and controlled in Canada.

*Article 4*

This agreement may be denounced at any time upon six months' notice being given by one Government to the other.

Done in duplicate, at Ottawa, this third day of October, in the Year of Our Lord, one thousand nine hundred and thirty-five.

EDGAR N. RHODES

Signed on behalf of His Majesty's  
Government in Canada.

F. L. C. FLOUD

Signed on behalf of His Majesty's  
Government in the United Kingdom  
of Great Britain and Northern  
Ireland.

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TREATY SERIES, 1935  
No. 2

EXCHANGE OF NOTES  
(October 10, 1935)

FOR THE

FURTHER RENEWAL OF THE ARBITRATION  
CONVENTION OF OCTOBER 25, 1905

BETWEEN

HIS MAJESTY'S GOVERNMENTS IN THE UNITED  
KINGDOM, CANADA, THE COMMONWEALTH  
OF AUSTRALIA AND NEW ZEALAND

AND

THE GOVERNMENT OF ICELAND

IN FORCE FOR FIVE YEARS FROM MAY 4, 1931



OTTAWA  
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1936







# EXCHANGE OF NOTES

(October 10, 1935)

FOR THE

FURTHER RENEWAL OF THE ARBITRATION  
CONVENTION OF OCTOBER 25, 1905

BETWEEN

HIS MAJESTY'S GOVERNMENTS IN THE UNITED  
KINGDOM, CANADA, THE COMMONWEALTH  
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THE GOVERNMENT OF ICELAND

IN FORCE FOR FIVE YEARS FROM MAY 4, 1931



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



**EXCHANGE OF NOTES BETWEEN HIS MAJESTY'S GOVERNMENTS IN  
THE UNITED KINGDOM, CANADA, THE COMMONWEALTH OF  
AUSTRALIA AND NEW ZEALAND AND THE GOVERNMENT OF  
ICELAND FOR THE FURTHER RENEWAL OF THE ARBITRATION  
CONVENTION OF OCTOBER 25, 1905**

---

*From the Danish Minister at London to the British Secretary of State for  
Foreign Affairs.*

DANISH LEGATION

LONDON, October 10, 1935.

SIR,

I have the honour to inform you that the Government of Iceland desire that the Anglo-Danish Arbitration Convention signed in London on the 25th October, 1905, and last renewed on the 4th June, 1926, should be regarded as having been renewed for a further period of five years from the 4th May, 1931, in respect of Iceland on the one hand, and the United Kingdom of Great Britain and Northern Ireland, Canada, the Commonwealth of Australia, New Zealand and all parts of the British Empire which are not separate members of the League of Nations on the other.

2. It will be understood that in place of reference to the Permanent Court of Arbitration, as provided for in Articles 1 and 2 of the aforesaid Convention of the 25th October, 1905, the reference shall, in any case arising, be made to the Permanent Court of International Justice in accordance with the procedure laid down in the Statutes of that Court and in the Rules of Court adopted thereunder.

3. If this proposal is agreeable to His Majesty's Governments in the United Kingdom, Canada, the Commonwealth of Australia and New Zealand, I have the honour to suggest that the present note and your reply in similar terms be regarded as constituting a formal agreement between His Majesty's Governments aforesaid, on the one hand, and the Government of Iceland on the other.

I have, etc.,

(For Iceland)

P. AHLEFELDT LAURVIG

*From the British Secretary of State for Foreign Affairs to the Danish  
Minister at London*

FOREIGN OFFICE

October 10, 1935.

SIR,

I have the honour to acknowledge the receipt of your note of to-day's date informing me that the Government of Iceland desire that the Anglo-Danish Convention signed in London on the 25th October, 1905, and last renewed on the 4th June, 1926, should be regarded as having been renewed in respect of Iceland for a further period of five years to date from the 4th May, 1931.

2. In reply, I have the honour to inform you that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland agree that the said Arbitration Convention of 1905 shall be regarded as having been renewed for a period of five years to date from the 4th May, 1931, in respect of the United Kingdom, and all parts of the British Empire which are not separate members of the League of Nations, on the one hand, and Iceland on the other. I have the honour, also, to inform you that His Majesty's Governments in Canada, in the Commonwealth of Australia and in New Zealand agree that the said Arbitration Convention of 1905 shall be regarded as having been renewed in the same manner and for the same period in respect of Canada, the Commonwealth of Australia, and New Zealand, respectively, on the one hand, and Iceland on the other.

3. It will be understood that in place of reference to the Permanent Court of Arbitration, as provided for in Articles 1 and 2 of the aforesaid Convention of the 25th October, 1905, the reference shall, in any case arising, be made to the Permanent Court of International Justice in accordance with the procedure laid down in the Statutes of that Court adopted thereunder.

4. The present note and your note to which I have the honour to reply will be regarded as constituting a formal agreement to the above effect between His Majesty's Governments in the United Kingdom, Canada, the Commonwealth of Australia, and New Zealand, on the one hand, and the Government of Iceland on the other.

I have, etc.

SAMUEL HOARE

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EXCHANGE OF NOTES

(December 27, 1934 and January 3, 1935)

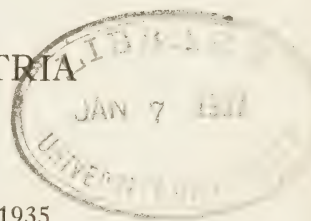
EXTENDING

FOR AN INDEFINITE PERIOD THE COMMERCIAL  
AGREEMENT OF JULY 6/8, 1933

BETWEEN

CANADA AND AUSTRIA

IN FORCE JANUARY 1, 1935



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# EXCHANGE OF NOTES

(December 27, 1934 and January 3, 1935)

EXTENDING

FOR AN INDEFINITE PERIOD THE COMMERCIAL  
AGREEMENT OF JULY 6/8, 1933

BETWEEN

CANADA AND AUSTRIA

IN FORCE JANUARY 1, 1935





**EXCHANGE OF NOTES (DECEMBER 27, 1934, AND JANUARY 3, 1935)  
EXTENDING FOR AN INDEFINITE PERIOD THE TRADE AGREEMENT  
OF JULY 6/8, 1933\***

*From the High Commissioner for Canada in Great Britain to the Austrian  
Minister at London.*

OFFICE OF THE HIGH COMMISSIONER FOR CANADA  
CANADA HOUSE

LONDON, December 27, 1934.

MY DEAR EXCELLENCY,

In further reply to your letter of the 22nd November, my Government have instructed me to advise you that they are prepared to renew the existing arrangement with Austria as from January 1st, 1935, for an indefinite period subject to three months' notice of termination by either party.

This appears to me to be an improvement on the present arrangement which definitely terminates at the end of the year as it leaves room for adjustment of any problems that may arise from time to time during the currency of the agreement.

I shall be glad to be advised as early as possible if this is satisfactory to your country.

With high respect, believe me,

Yours sincerely,

G. HOWARD FERGUSON

---

\* P.C. 88 January 14, 1935. See Canada Gazette January 26, 1935.

*From the Austrian Minister at London to the High Commissioner for Canada in Great Britain.*

AUSTRIAN LEGATION

LONDON, January 3, 1935.

DEAR MR. HIGH COMMISSIONER,

The contents of your letter of December 27th, 1934, in regard to the present Austro-Canadian tariff regime, were immediately communicated to Vienna.

I am now instructed to inform you that the Austrian Federal Government agree with pleasure to the renewal of the existing arrangement between Austria and Canada as from January 1st, 1935, for an indefinite period subject to three months' notice of termination by either party.

Believe me,

Yours sincerely,

G. FRANCKENSTEIN



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Treaties  
CANADA

TREATY SERIES, 1935  
NO. 4



EXCHANGE OF NOTES  
(January 4 and 11, 1935)

MODIFYING

THE AGREEMENT OF JULY 27, 1934

BETWEEN

CANADA AND ROUMANIA

RELATING TO THE

WAIVER OF CONSULAR FEES ON  
CERTIFICATES OF ORIGIN



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936

Price, 25 cents



# EXCHANGE OF NOTES

(January 4 and 11, 1935)

MODIFYING

THE AGREEMENT OF JULY 27, 1934

BETWEEN

CANADA AND ROUMANIA

RELATING TO THE

WAIVER OF CONSULAR FEES ON  
CERTIFICATES OF ORIGIN



OTTAWA  
J. O. PATENAUDE, I.S.O.  
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1936



**EXCHANGE OF NOTES (JANUARY 4 AND 11, 1935) MODIFYING THE  
AGREEMENT OF JULY 27, 1934, BETWEEN CANADA AND  
ROUMANIA RELATING TO THE WAIVER OF CONSULAR FEES  
ON CERTIFICATES OF ORIGIN**

*From the Consul General of Roumania to the Under-Secretary of State for  
External Affairs of Canada*

CONSULAT GENERAL ROYAL DE ROUMANIE AU CANADA

MONTREAL, January 4, 1935.

SIR,

With reference to your letter of the 17th ultimo I have the honour to state that under instructions from the Ministry of Foreign Affairs of Roumania by note No. 55036, the following two paragraphs should be added to the notes exchanged between the Canadian Government and the Roumanian Government on July 27, 1934:—

- "1. The Roumanian Government retains the right to continue to charge the fee of 1 (one) Gold Leu under art. 33 section V of the Consular Tariff on applications for consular visa on certificates of origin of Canadian goods.
- "2. The Canadian Government will not press for the removal of this fee so long as it is not increased and so long as it continues to be charged universally and without differentiation."

I have the honour to be,

Sir,

Your obedient servant,

GEO. A. SIMARD

*Consul General of Roumania*

*From the Under-Secretary of State for External Affairs of Canada to the  
Consul General of Roumania.*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, January 11, 1935.

SIR,

With reference to your letter of the 4th January, 1935, I have the honour to state that it is noted that the Government of Roumania proposed that the following two paragraphs be added to the notes exchanged between the Canadian Government and the Roumanian Government on the 27th July, 1934:—

- "1. The Roumanian Government retains the right to continue to charge the fee of 1 (one) Gold Leu under art. 33 section V of the Consular Tariff on applications for consular visa on certificates of origin of Canadian goods.
- "2. The Canadian Government will not press for the removal of this fee so long as it is not increased and so long as it continues to be charged universally and without differentiation."

I may say that the Canadian Government accept this proposal.

I have the honour to be,

Sir,

Your obedient servant,

O. D. SKELTON

*Under-Secretary of State for External Affairs*





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Treaties

CANADA

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TREATY SERIES, 1935

No. 5

EXCHANGE OF NOTES

(April 12 and 13, 1935)

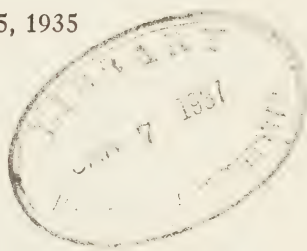
CONSTITUTING

A COMMERCIAL "MODUS VIVENDI"

BETWEEN

CANADA AND HAYTI

IN FORCE APRIL 15, 1935



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1936



# EXCHANGE OF NOTES

(April 12 and 13, 1935)

CONSTITUTING

A COMMERCIAL "MODUS VIVENDI"

BETWEEN

CANADA AND HAYTI

IN FORCE APRIL 15, 1935



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## EXCHANGE OF NOTES (APRIL 12 AND 13, 1935) CONSTITUTING A COMMERCIAL "MODUS VIVENDI" BETWEEN CANADA AND HAYTI

*From the British Minister at Port-au-Prince to the Secretary of State for  
Foreign Affairs at Hayti.*

BRITISH LEGATION

PORT-AU-PRINCE, April 12, 1935.

MONSIEUR LE MINISTRE,

It being the desire of His Majesty's Government in Canada and the Government of the Republic of Hayti to establish close commercial relations between Canada and Hayti, I have the honour to place on record the mutual understanding between the two Governments which has been arrived at and is to the effect that in respect of import and export duties and other duties and charges affecting commerce, as well as in respect of transit, warehousing and other facilities, and the treatment of commercial travellers' samples, Canada will accord to Hayti, and Hayti will accord to Canada, unconditional most-favoured-nation treatment, and that in matters of licensing or prohibitions of import and export each country, so far as it at any time maintains such a system, will accord to the commerce of the other treatment as favourable with respect to commodities, valuations and quantities as that which may be accorded to the commerce of any other foreign country.

In particular it is understood that:

No higher or other duties shall be imposed on the importation into or disposal in Canada of any articles the produce or manufacture of Hayti than are or shall be payable on like articles, the produce or manufacture of any other foreign country;

No higher or other duties shall be imposed on the importation into or disposal in Hayti of any articles the produce or manufacture of Canada than are or shall be payable on like articles the produce or manufacture of any other foreign country;

Similarly no higher or other duties shall be imposed in Canada or in Hayti on the exportation of any articles to the other than are payable on the exportation of the like articles to any other foreign country;

Every concession with respect to any duty, charge or regulation affecting commerce now accorded or which may hereafter be accorded by Canada or by Hayti by law, proclamation, order, decree or commercial treaty or agreement to any foreign country, will become immediately applicable, without request and without compensation to the commerce of Hayti and of Canada.

The present arrangement does not, however, relate to:

(1) Prohibitions of sanitary character or designed to protect human, animal or plant life, or regulations for the enforcement of police or revenue laws.

(2) The treatment which Hayti accords or may hereafter accord to the commerce of the Dominican Republic.

The present arrangement shall become operative on April fifteenth nineteen hundred and thirty-five and unless sooner terminated by mutual agreement shall continue in force for three months and thereafter until three months after notice of its termination shall have been given by either party.

I avail myself of this opportunity to renew to Your Excellency the assurance of my high consideration.

F. M. SHEPHERD

*From the Secretary of State for Foreign Affairs of Hayti to the  
British Minister at Port-au-Prince.*

(Translation)

REPUBLIC OF HAYTI

PORT-AU-PRINCE, April 13, 1935.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge receipt of your letter of April 12th last by which you were good enough to record the mutual understanding arrived at between our Governments respecting duties or charges affecting commerce and transit, warehousing and other facilities and the treatment of commercial travellers' samples. It is understood that in view of such understanding and what constitutes its object, Hayti will accord to Canada and Canada will accord to Hayti unconditional most-favoured-nation treatment, and that in matters of licensing or prohibitions of import or export, each country, as far as it at any time maintains such a system, will accord to the commerce of the other treatment as favourable with respect to commodities, valuations and quotas, as that which may be accorded to the commerce of any other foreign country.

It is particularly understood that no higher duties or other charges shall be imposed on the importation into or sale in Canada of any articles the produce or manufacture of Hayti, than are or shall be payable on like articles the produce or manufacture of any other country.

No higher duties or other charges shall be imposed on the importation into or sale in Hayti of any articles the produce or manufacture of Canada, than are or shall be payable on like articles the produce or manufacture of any other country. Similarly, no higher or other duties shall be imposed in Canada or in Hayti on the exportation of any articles from one country to the other than are payable on the exportation of like articles to any other foreign country.

Every concession with respect to any duty, charge or regulation affecting commerce now accorded, or which may hereafter be accorded by law, proclamation, order, decree or commercial treaty or agreement of Hayti or of Canada, shall become immediately applicable, without request and without compensation to the commerce of Hayti and of Canada.

The present arrangement does not, however, apply to:

- (1) Prohibitions of a sanitary character or designed to protect human, animal or plant life, or regulations for the enforcement of police or customs laws;
- (2) The treatment which Hayti accords or may hereafter accord to the commerce of the Dominican Republic.

The present provisional arrangement shall become operative on April 15th, 1935, and unless terminated by mutual agreement, shall continue in force for three months during which the parties to the present *Modus Vivendi* shall come to an understanding looking to the conclusion of a definitive convention.

I avail myself of this opportunity to renew to you, sir, the assurances of my high consideration.

YRECH CHATELAIN

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CANADA  
—  
TREATY SERIES, 1935  
No. 6

CONVENTION

RELATING TO THE

TONNAGE MEASUREMENT OF  
MERCHANT SHIPS

BETWEEN

HIS MAJESTY, IN RESPECT OF THE UNITED KINGDOM,  
CANADA, THE COMMONWEALTH OF AUSTRALIA,  
NEW ZEALAND AND INDIA

AND

THE PRESIDENT OF THE REPUBLIC OF POLAND

Signed at Warsaw April 16, 1934  
Ratifications Exchanged at London March 21, 1935

IN FORCE APRIL 21, 1935



OTTAWA  
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CONVENTION  
RELATING TO THE  
TONNAGE MEASUREMENT OF  
MERCHANT SHIPS

BETWEEN

HIS MAJESTY, IN RESPECT OF THE UNITED KINGDOM,  
CANADA, THE COMMONWEALTH OF AUSTRALIA,  
NEW ZEALAND AND INDIA

AND

THE PRESIDENT OF THE REPUBLIC OF POLAND

Signed at Warsaw April 16, 1934  
Ratifications Exchanged at London March 21, 1935

IN FORCE APRIL 21, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



**CONVENTION BETWEEN HIS MAJESTY, IN RESPECT OF THE UNITED KINGDOM, CANADA, THE COMMONWEALTH OF AUSTRALIA, NEW ZEALAND, AND INDIA, AND THE PRESIDENT OF THE REPUBLIC OF POLAND, RELATING TO THE TONNAGE MEASUREMENT OF MERCHANT SHIPS**

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and the President of the Republic of Poland,

Recognising the desirability of making arrangements for the reciprocal recognition of certificates of registry and other national documents relating to the measurement of tonnage of merchant ships,

Have resolved to conclude a Convention for that purpose and to that end have appointed as their Plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

for Great Britain and Northern Ireland,

The Right Honourable Sir William Augustus Forbes Erskine, G.C.M.G., M.V.O., Ambassador Extraordinary and Plenipotentiary of His Majesty at Warsaw;

for the Dominion of Canada,

The Right Honourable Sir William Augustus Forbes Erskine, G.C.M.G., M.V.O., Ambassador Extraordinary and Plenipotentiary of His Majesty at Warsaw;

for the Commonwealth of Australia,

The Right Honourable Sir William Augustus Forbes Erskine, G.C.M.G., M.V.O., Ambassador Extraordinary and Plenipotentiary of His Majesty at Warsaw;

for the Dominion of New Zealand,

The Right Honourable Sir William Augustus Forbes Erskine, G.C.M.G., M.V.O., Ambassador Extraordinary and Plenipotentiary of His Majesty at Warsaw;

for India,

The Right Honourable Sir William Augustus Forbes Erskine, G.C.M.G., M.V.O., Ambassador Extraordinary and Plenipotentiary of His Majesty at Warsaw;

The President of the Republic of Poland:

Monsieur Józef Beck, Minister for Foreign Affairs,

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

*Article 1.*

Subject to the provisions of Articles 6 and 7 of this Convention, the territories of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India (hereinafter referred to as His Majesty) to which this Convention applies are the United Kingdom of Great Britain and Northern Ireland, Canada, the Commonwealth of Australia, including for this purpose Papua and Norfolk Island, New Zealand, Newfoundland and India, all British Colonies and Protectorates and all mandated territories in respect of which the mandate is exercised by His Majesty's Government in the United Kingdom, His Majesty's Government in the Commonwealth of Australia or His Majesty's Government in New Zealand.

Any reference in subsequent articles of the present Convention to the territories of His Majesty shall be deemed to relate to those territories of His Majesty to which the Convention applies.

Jego Królewska Mość Król Wielkiej Brytanji, Irlandji i Zamorskich Dominjonów Brytyjskich, Cesarz Indyj, i Prezydent Rzeczypospolitej Polskiej, Uznając za pożądane zawieranie porozumień co do wzajemnego uznawania świadectw rejestracyjnych i innych krajowych dokumentów, dotyczących pomiaru tonażu statków handlowych,

Postanowili zawrzeć w tym celu Konwencję i dla tego mianowali swymi Pełnomocnikami:

Jego Królewska Mość Król Wielkiej Brytanji, Irlandji i Zamorskich Dominjonów Brytyjskich, Cesarz Indyj:

za Wielką Brytanję i Północną Irlandję,

The Right Honourable Sir William Augustus Forbes Erskine, G.C.M.G., M.V.O., Ambasadora Nadzwyczajnego i Pełnomocnego Jego Królewskiej Mości w Warszawie;

za Dominjon Kanady,

The Right Honourable Sir William Augustus Forbes Erskine, G.C.M.G., M.V.O., Ambasadora Nadzwyczajnego i Pełnomocnego Jego Królewskiej Mości w Warszawie;

za Związek Australijski,

The Right Honourable Sir William Augustus Forbes Erskine, G.C.M.G., M.V.O., Ambasadora Nadzwyczajnego i Pełnomocnego Jego Królewskiej Mości w Warszawie;

za Dominjon Nowej Zelandji,

The Right Honourable Sir William Augustus Forbes Erskine, G.C.M.G., M.V.O., Ambasadora Nadzwyczajnego i Pełnomocnego Jego Królewskiej Mości w Warszawie;

za Indję,

The Right Honourable Sir William Augustus Forbes Erskine, G.C.M.G., M.V.O., Ambasadora Nadzwyczajnego i Pełnomocnego Jego Królewskiej Mości w Warszawie;

Prezydent Rzeczypospolitej Polskiej:

Pana Józefa Becka, Ministra Spraw Zagranicznych,

Którzy, po zakomunikowaniu sobie swych pełnomocnictw, uznanych za dobre i w należytej formie, zgodzili się na to co następuje:

### *Artykuł 1.*

Z zachowaniem postanowień artykułów 6 i 7 niniejszej Konwencji terytorjami Jego Królewskiej Mości Króla Wielkiej Brytanji, Irlandji i Zamorskich Dominjonów Brytyjskich, Cesarza Indyj (wymienianego niżej jako Jego Królewska Mość), do których odnosi się Konwencja niniejsza, są Zjednoczone Królestwo Wielkiej Brytanji i Północnej Irlandji, Kanada, Związek Australijski włączając Papuazję i wyspę Norfolk, Nowa Zelandja, Nowa Fundlandja i Indję, wszystkie brytyjskie kolonie i protektoraty i wszystkie terytoria mandatowe, odnośnie do których jest wykonywany mandat przez Rząd Jego Królewskiej Mości w Królestwie Zjednoczonym, Rząd Jego Królewskiej Mości w Związku Australijskim lub Rząd Jego Królewskiej Mości w Nowej Zelandji.

Wszelka wzmianka w następnych artykułach niniejszej Konwencji o terytorjach Jego Królewskiej Mości będzie uznawana za odnoszącą się do tych terytorjów Jego Królewskiej Mości, do których odnosi się Konwencja.

*Article 2.*

In view of the fact that the existing laws and regulations in the territories of His Majesty in regard to measurement of tonnage of merchant ships are in substantial agreement with those of Poland, ships furnished with certificates of registry and other national papers duly issued by the competent authorities of some part of the territories of His Majesty shall be deemed by the Polish authorities to be of the tonnage denoted in the said documents, and shall be exempted from being remeasured in any port or place in Poland, on condition that similar terms shall be accorded to Polish ships equipped with certificates of registry or other national papers duly issued by the competent Polish authorities on or after the 30th November, 1927, and that such ships shall be exempted from being remeasured in any port or place within the territories of His Majesty.

*Article 3.*

The High Contracting Parties agree that the Government of the Republic of Poland to whom it pertains to ensure the conduct of the foreign relations of the Free City of Danzig in virtue of article 104 of the Treaty of Peace, signed at Versailles on the 28th June, 1919, and of Articles 2 and 6 of the Convention concluded between Poland and the Free City of Danzig on the 9th November, 1920, may at any time while the present Convention is in force declare by a notification made through the diplomatic channel that the Free City of Danzig is a Contracting Party to this Convention and that the Free City assumes the obligations and acquires the rights deriving therefrom, subject to such conditions as may be agreed upon in the notes to be exchanged for giving effect to such declaration.

*Article 4.*

The President of the Republic of Poland may by a twelve months' notice given in writing through the diplomatic channel terminate this Convention either collectively in respect of all territories of His Majesty or separately in respect of the United Kingdom of Great Britain and Northern Ireland, Canada, the Commonwealth of Australia, New Zealand, Newfoundland or India respectively.

*Article 5*

His Majesty may terminate this Convention collectively or separately in respect of the United Kingdom, Canada, the Commonwealth of Australia, New Zealand, Newfoundland or India by a twelve months' notice in writing through the diplomatic channel.

*Article 6.*

The separate termination of this Convention, under Articles 4 or 5, in respect of the United Kingdom of Great Britain and Northern Ireland shall also terminate it in respect of all British colonies, all British protectorates and all mandated territories in respect of which the mandate is exercised by His Majesty's Government in the United Kingdom, and its provisions shall upon such termination cease to apply to all ships registered therein.



*Artykuł 2.*

Wobec faktu, że istniejące na terytorjach Jego Królewskiej Mości ustawy i przepisy odnośnie do pomiaru tonażu statków handlowych są w istocie swej zgodne z takimiż przepisami polskimi, statki zaopatrzone w świadectwa rejestracyjne i inne papiery krajowe wydane w należytej formie przez władze kompetentne jakiegokolwiek części terytorjów Jego Królewskiej Mości będą uważane przez władze polskie za posiadające tonaż wskazany we wspomnianych dokumentach i będą zwolnione od ponownego pomierzania w jakimkolwiek porcie lub miejscowości w Polsce pod warunkiem, że podobne uprawnienia będą przyznane statkom polskim zaopatrzonym w świadectwa rejestracyjne i inne papiery krajowe w należytej formie wydane przez kompetentne władze polskie w dniu 30-ym listopada 1927 r. lub po tej dacie i, że takie statki będą zwolnione od ponownego pomierzania w jakimkolwiek porcie lub miejscowości w obrębie terytorjów Jego Królewskiej Mości.

*Artykuł 3.*

Wysokie Umawiające się Strony zgadzają się na to, że Rząd Rzeczypospolitej Polskiej, do którego należy zapewnienie prowadzenia stosunków zagranicznych Wolnego Miasta Gdańska na mocy art. 104 Traktatu Pokoju, podpisanego w Wersalu dnia 28 czerwca 1919 r., i artykułów 2 i 6 Konwencji zawartej między Polską a Wolnym Miastem Gdańskiem dnia 9 listopada 1920 r., może w każdym czasie w ciągu trwania w mocy niniejszej Konwencji oświadczyć przez notyfikację w drodze dyplomatycznej, że Wolne Miasto Gdańsk jest Stroną Umawiającą się w tej Konwencji i, że Wolne Miasto przyjmuje zobowiązania i nabywa prawa z niej wynikające, pod takimi warunkami, jakie mogą być ustalone w notach, które będą wymienione celem nadania skuteczności temu oświadczeniu.

*Artykuł 4.*

Prezydent Rzeczypospolitej Polskiej może przez pisemne zawiadomienie, dokonane na 12 miesięcy naprzód w drodze dyplomatycznej uchylić niniejszą Konwencję bądź łącznie w odniesieniu do wszystkich terytorjów Jego Królewskiej Mości, bądź oddzielnie w odniesieniu do: Zjednoczonego Królestwa Wielkiej Brytanji i Północnej Irlandji, Kanady, Związku Australijskiego, Nowej Zelandji, Nowej Fundlandji lub Indyj.

*Artykuł 5.*

Jego Królewska Mość może uchylić niniejszą Konwencję łącznie bądź oddzielnie w odniesieniu do: Zjednoczonego Królestwa, Kanady, Związku Australijskiego, Nowej Zelandji, Nowej Fundlandji lub Indyj przez pisemne zawiadomienie dokonane na 12 miesięcy naprzód y drodze dyplomatycznej.

*Artykuł 6.*

Z chwilą upływu terminu ważności niniejszej Konwencji, w myśl artykułów 4-go lub 5-go, oddzielnie w odniesieniu do Zjednoczonego Królestwa Wielkiej Brytanji i Północnej Irlandji, upływa on również w odniesieniu do wszystkich brytyjskich kolonij, do wszystkich brytyjskich protektoratów i do wszystkich terytorjów mandatowych w odniesieniu do których wykonywany jest mandat przez Rząd Jego Królewskiej Mości w Zjednoczonym Królestwie i z chwilą upływu tego terminu ważności postanowienia niniejszej Konwencji przestaną być stosowane do wszystkich okrętów tam zarejestrowanych.

*Article 7.*

The separate termination of this Convention under Articles 4 or 5 in respect of Canada, the Commonwealth of Australia, New Zealand, Newfoundland or India shall also terminate it in respect of the territories under the authority or jurisdiction of His Majesty's Government in Canada, or in the Commonwealth of Australia, or in New Zealand or in Newfoundland or the Government of India respectively and its provisions shall upon such termination cease to apply to ships registered in such territories.

*Article 8.*

The present Convention shall be ratified and the ratifications shall be exchanged at London as soon as possible. It shall come into force thirty days from the date of the exchange of ratifications.

In faith whereof the above-named Plenipotentiaries have signed the present Convention and have affixed thereto their Seals.

Done at Warsaw in duplicate, each in the English and Polish languages both of which shall have equal force, the 16th day of April, 1934.

For Great Britain and Northern Ireland:

WILLIAM ERSKINE

For the Dominion of Canada:

WILLIAM ERSKINE

For the Commonwealth of Australia:

WILLIAM ERSKINE

For the Dominion of New Zealand:

WILLIAM ERSKINE

For India:

WILLIAM ERSKINE

For the Republic of Poland:

J. BECK



*Artykuł 7.*

Z chwila upływu terminu ważności niniejszej Konwencji, w myśl artykułów 4-go lub 5-go, oddzielnie w odniesieniu do: Kanady, Związku Australijskiego, Nowej Zelandji, Nowej Fundlandji lub Indyj, upływa on również w odniesieniu do terytoriów będących pod władzą lub jurysdykcją Rządu Jego Królewskiej Mości w Kanadzie, bądź w Związku Australijskim, bądź w Nowej Zelandji, bądź w Nowej Fundlandji lub Rządu Indyj, i z chwilą upływu tego terminu ważności postanowienia niniejszej Konwencji przestaną być stosowane do okrętów zarejestrowanych na tych terytoriach.

*Artykuł 8.*

Niniejsza Konwencja ma być ratyfikowana i dokumenty ratyfikacyjne mają być wymienione w Londynie możliwie jaknajprędzej. Wejdzie ona w życie w trzydzieści dni od daty wymiany dokumentów ratyfikacyjnych.

Na dowód czego wyżej wymienieni Pełnomocnicy podpisali niniejszą Konwencję i wycisnęli na niej swoje pieczęcie.

Sporządzono w Warszawie w dwóch oryginalnych egzemplarzach, każdy w języku angielskim i polskim, przyczem obydwaj języki są miarodajne, dnia 16 kwietnia 1934 r.

Za Wielką Brytanię i Północną Irlandję:

WILLIAM ERSKINE

Za Dominjon Kanady:

WILLIAM ERSKINE

Za Związek Australijski:

WILLIAM ERSKINE

Za Dominjon Nowej Zelandji:

WILLIAM ERSKINE

Za Indję:

WILLIAM ERSKINE

Za Rzeczpospolitą Polską:

J. BECK



CANADA  
TREATY SERIES, 1935  
No. 7



CONVENTION  
CONCERNING THE  
EXCHANGE OF MONEY ORDERS  
BETWEEN  
CANADA  
AND  
FRANCE AND ALGERIA

Signed at Ottawa, April 17, 1935

IN FORCE MAY 6, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



# CONVENTION

CONCERNING THE

EXCHANGE OF MONEY ORDERS

BETWEEN

CANADA ON THE ONE HAND

AND

FRANCE AND ALGERIA ON THE OTHER HAND

Ottawa, April 17th, 1935

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Effective May 6th, 1935



## CONVENTION

### Concerning the Exchange of Money Orders between Canada on the one hand and France and Algeria on the other hand

The Government of the Dominion of Canada and the Government of the French Republic, desiring to facilitate the transmission of sums of money between Canada on the one hand and France and Algeria on the other hand, by means of Money Orders, have decided to conclude a Convention to that effect.

The undersigned duly authorized by their respective Governments, have agreed as follows:

#### ARTICLE 1

##### PRELIMINARY PROVISIONS

The exchange of Money Orders between Canada, on the one hand, and France and Algeria, on the other hand, is governed by the provisions of this Convention.

#### ARTICLE 2

##### PAYMENTS

The amount of each Order must be paid by the remitters against receipt and paid to the payees either in specie or in paper money being legal tender in the country where the operation takes place, provided each Administration keep account, should the case arise, of the difference in the rate of exchange.

#### ARTICLE 3

##### RATE OF CONVERSION

The Administration of the country of origin itself fixes the rate of conversion of its money into the currency of the country of destination and may alter such rate whenever it appears necessary to do so.

Each Administration shall communicate to the other the rate of conversion adopted and subsequent alterations.

#### ARTICLE 4

##### MAXIMUM AMOUNT

The maximum amount of the Money Orders shall be 2,500 French francs as regards orders issued in Canada and 100 dollars with respect to orders issued in France.

Such maximum amounts may be modified by agreement between the two Administrations.

#### ARTICLE 5

##### CHARGES

There shall be levied on each Money Order, a rate of commission fixed by the issuing Administration and charged to the sender.

Subject to the provisions of Article 12 hereafter, the commission shall belong to the issuing Administration. Each Administration shall communicate to the other its tariff of rates of commission as well as subsequent modifications.

## ARTICLE 6

### ADVICE OF PAYMENT

The remitter of a Money Order may obtain, but only through the post, an advice of payment of the Order by paying at the time of the issue and for the exclusive benefit of the Administration of the country of origin, a fixed charge equivalent to that levied in such country for acknowledgements of receipt of registered packets.

Requests for advice of payment may be made after the deposit of funds during the full period of validity of the Money Orders plus an additional period of one year. A double charge may then be required of the claimant.

## ARTICLE 7

### PAYMENT

The payment of Money Orders and, if undertaken, their delivery to the payees are effected according to the regulations in force in the country of destination.

## ARTICLE 8

### PERIOD OF VALIDITY OF MONEY ORDERS

Money Orders are valid until the expiration of the twelfth month which follows that in which they are issued. After such period, the amount is turned over to the Administration of the country of origin.

The sums cashed by each of the Administrations the amount of which has not been claimed by the assigns within the periods prescribed by the laws and regulations of the country issuing the Money Orders, definitively belong to the Administration of such country.

## ARTICLE 9

### WITHDRAWAL OF MONEY ORDERS—ALTERATION OF ADDRESS

The remitter of a Money Order may have it withdrawn from the service or its address altered under the conditions prescribed by the detailed regulations of this Convention, so long as either the Order itself or its amount has not been delivered to the payee. However, such right can be exercised during the period of validity only as determined under the preceding article.

## ARTICLE 10

### RE-TRANSMISSION OF MONEY ORDERS

In the event of a change in the payee's address, a Money Order may be re-transmitted at the request of the remitter or the payee, either within the country of destination or to a country maintaining a Money Order service with the country of the first destination.

The conditions of re-transmission are explained under Article 16 of the detailed Regulations.

## ARTICLE 11

### RESPONSIBILITY—CLAIMS

Amounts paid in for Money Orders are, within the period fixed by the legislation of the country of origin, guaranteed to the remitters until the Orders are duly paid.

Responsibility rests with the Administration of origin, except when the Office of payment is unable to prove that payment has been made in accordance with the conditions laid down by its internal regulations.

Claims are allowed only within the period of two years from the date the amounts were paid in.

## ARTICLE 12

### APPORTIONMENT OF CHARGES

The Administration that issued the Money Orders shall allow to the Administration effecting the payment one half of one per cent (1/2%) of the total amount of paid up Money Orders.

The rate of such allowance may be modified by agreement between the two Administrations.

## ARTICLE 13

### THROUGH MONEY ORDERS \*

Each Administration may make use of the medium of the other Administration to send money to countries or colonies with which the latter maintains regular Money Order exchanges.

The intermediary Administration is authorized to collect on its own behalf an additional commission duty to be levied on the amount of the Money Orders.

## ARTICLE 14

### GENERAL ACCOUNTS

The French Administration shall prepare a general monthly account setting forth all the amounts which one Administration owes to the other. This account, which is communicated in duplicate to the Canadian Administration, must show the balance in the currency of the creditor country.

For this purpose, the amount of the smaller credit is converted into the currency of the country having the larger credit, the basis of conversion being the mean of the official rates of exchange in the debtor country during the period to which the accounts relate. The difference between the larger credit and the smaller credit constitutes the balance.

## ARTICLE 15

### SETTLEMENT

The accounts are liquidated by the debtor Administration within the period prescribed by the detailed Regulations.

In the event of non-payment of the balance of an account within the prescribed period, the amount of such balance bears interest from the date of the expiration of the said period until the date on which payment is made. This interest is calculated at the rate of seven per cent per annum (7%).

## ARTICLE 16

### SUBSEQUENT MODIFICATION OF THE RULES RESPECTING GENERAL ACCOUNTS AND THEIR SETTLEMENT

The Rules set forth in articles 14 and 15 may be altered by agreement between the contracting Administrations whenever it would appear opportune to do so.

## ARTICLE 17

### MISCELLANEOUS PROVISIONS

The two Administrations shall draw up by common consent the measures of detail and order necessary for the execution of the present Convention. Such measures may be altered by common consent should it be necessary.

## ARTICLE 18

### SUSPENSION OF SERVICE

Each Administration may in extraordinary circumstances justifying the measure, temporarily or definitively suspend the exchange of Money Orders, provided notice be immediately given, by wire if necessary, to the other Administration.

## ARTICLE 19

### ENTRY INTO FORCE AND DURATION OF THE CONVENTION

This Convention shall supersede the Convention of June 20, 1884, and the additional Act of April 18/June 15, 1921. It shall come into operation from the day to be agreed upon by the Postal Authorities of each country.

The Convention shall remain in force until one of the Contracting parties shall have notified the other, at least six months beforehand, of its intention to terminate it.

IN FAITH WHEREOF, the undersigned have signed this Convention and have thereto affixed their seals.

DONE in duplicate and signed at Ottawa on the seventeenth of April, nineteen hundred and thirty-five.

DETAILED REGULATIONS OF THE CONVENTION OF THE SEVENTEENTH OF APRIL, NINETEEN HUNDRED AND THIRTY-FIVE, CONCERNING THE EXCHANGE OF MONEY ORDERS BETWEEN CANADA AND FRANCE.

The undersigned,

In view of the Convention concluded on the seventeenth of April, nineteen hundred and thirty-five, for the exchange of Money Orders between Canada on the one hand, and France and Algeria on the other hand, have, by common consent, adopted on behalf of their respective Administrations, the following measures for the execution of the said Convention:

ARTICLE 1

CONDITIONS OF EXCHANGE

The Money Order business between Canada on the one hand, and France and Algeria on the other hand, shall be performed exclusively through two offices of exchange, namely, as regards Canada, the Office of Exchange of Ottawa, and, as regards France, the Office of Exchange of Paris-Caisse.

ARTICLE 2

WORDING OF MONEY ORDERS

The address of the money order must describe the payee in such a manner as to allow the identity of the person entitled to payment to be clearly determined. Abbreviated addresses and telegraphic addresses are prohibited.

It is forbidden to write on the Money Orders annotations other than those constituting the wording of form.

The necessary indications to be supplied by the remitter are his name and surname (or at least the initial of his surname), his address, the same indications respecting the payee, or else the name of the firm or company sending or receiving the Money Order. In the absence of a surname or an initial, the Money Order may be prepared at the remitter's risk.

ARTICLE 3

CONVERSION OF MONEY ORDERS

The conversion in French currency of sums deposited in Canada to be paid in France and the conversion in Canadian currency of sums remitted in France for payment in Canada, rests with the office issuing the Money Order.

ARTICLE 4

DESCRIPTIVE LISTS OF ISSUED MONEY ORDERS

Each office of exchange shall prepare as regards Money Orders issued in its country for transmission to the other, a descriptive list in duplicate which it shall forward daily (excepting Sundays and holidays) to the corresponding Office of Exchange.

The daily lists shall be similar to the annexed forms A or B of the present Detailed Regulations.



The lists prepared by the Canadian Office of Exchange show only the international number of each Money Order, the amount in Canadian currency and its equivalent in French currency, together with the totals. Any other information required for the preparation of Money Orders by the French internal service shall be indicated on separate slips attached to the lists. The international number of the Money Order is repeated on the corresponding slip. The French Administration shall not assume any responsibility for errors or delays in the payment of Money Orders which may result from such method of preparing lists.

In the statement of the amount of Money Orders, no mention shall be made of fractions of cents.

The lists alone are transmitted by the French Office of Exchange; the lists forwarded by the Canadian Office of Exchange are accompanied by slips relating thereto. The Money Orders described on the lists are kept by the office of origin.

## ARTICLE 5

### NUMBERING OF LISTS AND MONEY ORDERS

The lists forwarded by each Office of Exchange are numbered according to a single annual series beginning with No. 1, January 1st of each year. They must also show the date of transmission (hand written or stamped) and the signature of the chief of the exchange office, as well as the stamp or special seal of the office.

Each Money Order entered upon the lists must be indicated by a serial number constituting its international number according to an annual series beginning with No. 1, January 1st of each year. A special column is set aside on the list in which is entered the international number.

## ARTICLE 6

### LOST LISTS

Any missing list shall be immediately applied for by the Office of Exchange where it is wanted.

The despatching Office of Exchange shall, in such a case, transmit without delay to the receiving Office of Exchange a duplicate copy of the list duly certified.

## ARTICLE 7

### VERIFICATION OF LISTS

Every list shall be carefully verified by the Office of Exchange to which it is sent and corrected by that office if it contains minor mistakes.

Any corrections shall be communicated by return mail to the Despatching Office of Exchange.

When the errors discovered are important enough to require explanation from the Despatching Office of Exchange, the necessary particulars are requested without delay. In the meantime the issue of a Money Order relating to any entry which is found to be erroneous or lacking shall be suspended.

## ARTICLE 8

### PREPARATION OF MONEY ORDERS BY OFFICES OF EXCHANGE

As soon as an Advice List reaches the Receiving Office of Exchange, this Office, after verification, shall prepare the Money Orders and utilize for that purpose the form, or one of the forms, in use in its country.

Such Money Orders are then addressed to the payees or offices of payment according to the regulations in force in the country of destination.

## ARTICLE 9

### CORRECTION OF ADDRESS

The correction of errors in the names or addresses of the payees must be proceeded with at the request of the remitter through the Postal Administration or the Office of Exchange of the country of origin.

## ARTICLE 10

### WITHDRAWAL OR REPAYMENT OF MONEY ORDERS

The amount of the Money Orders can be repaid to the remitters only after the Administration of the country of origin has ascertained from the Administration of the country of destination that the money has not been paid to the payees and that the latter Administration has authorized the repayment.

Applications for withdrawal or repayment made by remitters are transmitted by the central services appointed for that purpose by the Contracting Administrations.

## ARTICLE 11

### RESPONSIBILITY AS REGARDS REQUESTS FOR RECTIFICATION OR WITHDRAWAL

Upon receipt of requests for rectification or withdrawal provided for in Articles 9 and 10, exchange offices and central services shall arrange at once for the corrections to be made or for payment to be stopped and, should it be required, for authority for repayment to be sent.

Nevertheless, the Administrations shall not assume any responsibility in the event of a request for rectification or withdrawal not being complied with.

## ARTICLE 12

### ADVICE OF PAYMENT

The advice of payment of a Money Order shall be prepared by the paying office on a form in accordance with, or analogous to the annexed specimen C or C 1 of the present Detailed Regulations.

Such advice of payment shall be transmitted directly to the remitter by the French paying office.

The Canadian paying office may send the advice to the remitter, either directly or through the Office of Exchange at Ottawa.

However, the medium of offices of exchange of both countries is always necessary for the transmission of advices of payment of "through" Money Orders, as well as for all requests for advices of payment made after the issue of the Money Orders.

## ARTICLE 13

### PERIOD OF VALIDITY

Money Orders prepared by each Office of Exchange are valid during the period provided for under Article 8 of the Convention. Such period begins with the date of deposit of money at the despatching office of origin and not from the date the Money Order was prepared by the Office of Exchange.

After this period, the amount of unpaid Money Orders must be returned to the Administration of the country of origin which shall dispose of it according to the laws and regulations in force in such country.

## ARTICLE 14

### GENERAL PROVISIONS APPLICABLE TO MONEY ORDERS

In all cases, Money Orders exchanged between the two countries are subject, as regards issue, to the regulations in force in the country of origin, and, as regards payment, to the regulations in force in the country of destination.

## ARTICLE 15

### MISSING OR LOST MONEY ORDER

#### *Duplicate*

If a Money Order is lost or destroyed, a duplicate shall be issued, on a written application from the payee containing the necessary particulars, by the Administration of the country of destination according to the regulations and conditions in force in such country.

This Administration shall decide particularly whether the enquiries should be sent to any post office or should be addressed to a principal office or to a central service and, moreover, whether the office preparing the duplicate Money Order should collect a charge, under its internal service regulations, when the loss of the original Money Order does not rest with the postal service. .

The enquiry may also be made by the remitter on applying to the Administration of the country of origin which brings the matter to the attention of the country of destination.

## ARTICLE 16

### RE-TRANSMISSION

The re-transmission of Money Orders in the interior of the country of destination shall be effected under conditions to be determined by the Administration of such country, and similarly as regards conditions of re-transmission in another country.

## ARTICLE 17

### THROUGH MONEY ORDERS

Each Administration shall notify to the other the names of the countries and colonies with which it has a direct Money Order service, the maximum amount adopted for each of such countries and colonies, and the charges collected as regards the through Money Order service.

The name and address of the payee of a through Order, including the name of the town and country of payment shall be given as fully as possible by the remitter in Roman characters. The same conditions shall apply as regards entries of Money Orders on the lists or slips attached thereto.

Through Money Orders shall be entered each day by the Office of Exchange of the country of origin on a separate list according to "forms A or B" and shall have as heading "Through Money Orders."

The total of such list is added to the total of the list of ordinary Money Orders prepared on the same day.

Upon receipt of a list of through Money Orders, each Administration shall deliver the Money Orders to the payees after collecting the additional commission.

The Canadian Administration and the French Administration shall grant to each other, as in the case of Money Orders exchanged directly between Canada and France, an allowance of one half of one per cent ( $\frac{1}{2}\%$ ) to be deducted from the total amount of through Money Orders.

When the amount of a through Order is repaid to the remitter, the commission charged for the intermediary service shall not be refunded.

## ARTICLE 18

### MONTHLY ACCOUNTS

At the end of each month, the French Administration shall prepare and transmit to the Canadian Administration two detailed statements named "Particular Accounts," according to form D annexed to these Detailed Regulations, on the first of which shall be indicated the total of each list received from the Canadian Office and on the second the total of each list sent to the said office.

Moreover, each Administration shall prepare and transmit to the other:

1. A list showing particulars of all Orders authorized to be repaid to the remitters pursuant to the provisions of Article 10.

2. A list showing particulars of Money Orders previously advised by the other Office of Exchange, the payment of which was not requested during the period of validity.

These lists shall be, respectively, in accordance with or analogous to forms E and F, annexed hereto.

The statements on form D shall also indicate the corrections to be made to the previous account.

## ARTICLE 19

### GENERAL ACCOUNT

A summary account of Money Orders transmitted from France to Canada and vice versa shall be prepared, at the end of each month, by the French Administration on a form in accordance with specimen G, annexed hereto.

To this effect, as soon as the French Administration shall have received from the Ottawa Office all the lists transmitted during the past month and the accounts referred to in Article 18 shall have been prepared, it shall enter to the credit of each of the Contracting Parties on a form G:

1. The total amount of Money Orders issued by the other country in accordance with the specimen D accounts, less the total of void Money Orders and Orders refunded to the remitters at their request, the amount of which has been returned during the month to the Administration of the country of origin (See specimen lists E and F).

2. One half of one per cent ( $\frac{1}{2}\%$ ) commission deducted from the total amount indicated above.

The summary account Specimen G prepared by the French Administration shall be submitted in duplicate, together with relative papers, to the Canadian Postal Administration which, after a period of one month, shall return either the two copies with its observations or one copy with its approval to the "Centre de Controle des Mandats internationaux, 56, 58, rue Cler, Paris (VIIe)."

Moreover, the balance shall be set out in a general account prepared by the French Administration on a form in accordance with Specimen H, annexed hereto, and submitted in duplicate, at the same time as account Specimen G, to the Canadian Postal Administration which, after a period of one month, shall return either the two copies with its observations or one copy with its approval to the "Ministere des Postes, Telegraphes et Telephone (Direction des Cheques Postaux et des Articles d'Argent—3eme Bureau)."

## ARTICLE 20

### ACCOUNTS

Whenever during a month it is found that the Money Orders issued by one of the countries exceed in amount by Five thousand dollars, or an equivalent sum in French currency, the Orders issued by the other country, the latter shall have the right to claim, before the closing of the monthly statement, the immediate payment of an instalment on account, approximately representing the amount of the ascertained difference between the Orders issued between the two countries.

Payment of such claim shall be made within eight days. If payment is not made within the prescribed period, the provisions of Article 15 of the Convention are applicable.

Nevertheless, each Administration may, at any time, pay in advance a sum approximately representing the amount of the balance in favour of the other Administration.



## ARTICLE 21

### SETTLEMENT

For the settlement of the balance of a general account, the debtor office must pay its debt fifteen days at the latest after receiving the account acknowledged as correct.

In the absence of other arrangements, such payments, as well as those referred to in the preceding Article, are effected by means of drafts payable at sight in the capital, or at some commercial centre of the creditor country, in the currency of that country.

Any amount remaining due from one Administration to the other at the expiration of one month following the period covered by the relative account, shall thenceforth be subject to interest pursuant to the provisions of Article 15 of the Convention.

## ARTICLE 22

### ENTRY INTO FORCE AND DURATION OF THE DETAILED REGULATIONS

The present Detailed Regulations shall come into force on the same date as the Convention of the seventeenth of April, nineteen hundred and thirty-five, and shall have the same duration.

DONE in duplicate and signed at Ottawa, on the seventeenth of April, nineteen hundred and thirty-five.



A  
CANADA

LIST of postal money orders drawn on

List N°  
Liste N°

LISTE de mandats de poste tirés sur

Sheet N°  
Feuille N°

International N° — N° international	Amount — Montant	Amount in currency of paying country — Montant en monnaie du pays destinataire	Inland order — Mandat interne	Remarks — Observations
	\$	Cts.		

LISTE DES MANDATS-POSTE ÉMIS EN FRANCE À DESTINATION DU CANADA

Liste N° .....

Feuille N° .....

Timbre  
du Bureau  
de Paris

Timbre  
du Bureau  
d'Ottawa

N° d'ordre inter- national	N° du man- dat ori- ginal	Date d'émission du mandat original	Bureau d'ori- gine	Nom et prénom de l'expéditeur	Nom et prénom du bénéficiaire	Adresse complète du bénéficiaire, rue, N°, résidence, comité, pays, etc.....	Montant versé en France		Montant à payer au Canada	Avis de paye- ment	Réservé pour le bureau d'échange à Ottawa		
							Francs	e/mes			Numéro du mandat interne	Bureau sur lequel le mandat est tiré	Obser- vations
		Mois   Date							Dollars   Cents				

Le chef du bureau d'échange de Paris

C  
(Recto)

<p style="text-align: center;">ADMINISTRATION DES POSTES</p> <p>de..... (1)</p> <hr style="width: 10%; margin: 10px auto;"/> <p>Envoi recommandé (.....) (2)</p> <p>Colis</p> <p>Lettre-Boîte-Colis</p> <p><i>avec valeur déclarée de</i></p> <p>Mandat de poste de</p> <p>enregistré au bureau de poste de</p> <p>le                      sous le N°</p> <p>expédié par M.</p> <p>et adressé à M.</p> <p>à</p> <p>(1)—Le recto est à remplir par l'Office d'origine.</p> <p>(2)—Nature de l'envoi (lettre, imprimé, etc.....) :</p>	<p style="text-align: center;">AVIS DE RECEPTION</p> <p style="text-align: center;">AVIS DE PAYEMENT</p>  <p style="text-align: right;">Timbre du Bureau Expéditeur de l'avis</p> <p>(1)—A</p> <p style="text-align: center;">Lieu de destination.</p>  <p>SERVICE DES POSTES                      (Pays de destination)</p> <p>(1)—A remplir par l'expéditeur.</p>
--	---

(Verso)

Le soussigné déclare que { l'envoi  
   le mandat } mentionné d'autre part

a été dûment { livré } le..... 193  
   { payé }

Timbre du bureau  
destinataire

Signature (1)  
du destinataire      de l'agent du bureau  
   destinataire:

(1)—Cet avis doit être signé par le destinataire ou, si les règlements du pays de destination le comportent, par l'agent du bureau destinataire, et renvoyé par le premier courrier directement à l'expéditeur.

(Dimensions: 105 c. 148 m/m)

C.1

DOMINION OF CANADA

ADVICE OF PAYMENT OF A MONEY ORDER

AVIS DE PAIEMENT D'UN MANDAT-POSTE

---

Office of issue.....	N°.....
Bureau d'émission.....	N°.....
Amount \$.....	Date of issue.....
Montant \$.....	Date de l'émission.....
Name and address of payee.....	
Nom et adresse du bénéficiaire.....	
Name and address of Remitter.....	
Nom et adresse de l'envoyeur.....	

---

The undersigned certifies that the amount of the above described order was paid on  
Le soussigné atteste que le montant du mandat ci-dessus mentionné a été payé le

.....193.....

Stamp of paying office  
Timbre du bureau payeur

Postmaster  
Maître de poste

Mois de.....19.....

[illegible]

16



Mois de.....19....

N° de la Liste	Date de la liste	Numéro international du mandat	Bureau d'origine	Montant en monnaie française		Observations
				Frs.	Cts.	
		Total.....				

17

## pendant le mois de.....19.....

[illegible]

18

G

ÉTAT RÉCAPITULATIF PRÉSENTANT LES RÉSULTATS DE L'ÉCHANGE DES MANDATS-POSTE ENTRE LE CANADA, D'UNE PART, ET LA FRANCE, D'AUTRE PART

A l'avoir de la France			A l'avoir du Canada		
Francs.			Dollars		
c.			Cents		
Mandats émis au Canada, suivant le compte particulier.....			Mandats émis en France, suivant le compte particulier.....		
Fr. C.			Dollars Cents		
Mandats dont le remboursement a été autorisé au Canada, suivant le compte particulier.....			Mandats dont le remboursement a été autorisé en France, suivant le compte particulier.....		
Mandats périmés.....			Mandats périmés.....		
Total à déduire.....			Total à déduire.....		
Reste.....			Reste.....		
Commission de $\frac{1}{2}$ pour cent sur les mandats payés.....			Commission de $\frac{1}{2}$ pour cent sur les mandats payés.....		
Total de l'avoir de la France:			Total de l'avoir du Canada:		
Vu et accepté à Ottawa			Paris,.....19		
			Le Directeur régional de Paris,		

ADMINISTRATION DES POSTES  
DE FRANCE

## des mandats-poste échangés entre la France et le Canada pendant.....

Totaux
Conversion au taux de .....
Balance .....
Acomptes .....

au ———  
débit

Dates:                      Montants:

le.....  
(Signature)

Vu et accepté:

CANADA

TREATY SERIES, 1935

No. 8

EXCHANGE OF NOTES

(August 2 and 31, 1935)

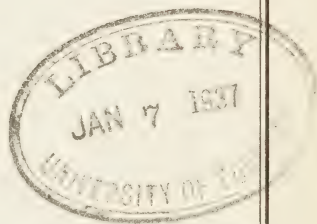
CONSTITUTING

A COMMERCIAL AGREEMENT

BETWEEN

CANADA AND THE UNION OF SOUTH AFRICA

IN FORCE JULY 1, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936

Price, 25 cents





# EXCHANGE OF NOTES

(August 2 and 31, 1935)

CONSTITUTING

A COMMERCIAL AGREEMENT

BETWEEN

CANADA AND THE UNION OF SOUTH AFRICA

IN FORCE JULY 1, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



## EXCHANGE OF NOTES (AUGUST 2 AND 31, 1935) CONSTITUTING A COMMERCIAL AGREEMENT BETWEEN CANADA AND THE UNION OF SOUTH AFRICA

*From the Minister of External Affairs of the Union of South Africa to the  
Secretary of State for External Affairs of Canada*

DEPARTMENT OF EXTERNAL AFFAIRS

PRETORIA, August 2, 1935.

SIR,

I have the honour to inform you that His Majesty's Government in the Union of South Africa hereby undertake that all goods the growth, produce or manufacture of Canada not specially provided for in any Trade Agreement concluded between our two Governments, shall, when imported from Canada, into the territory of the Union of South Africa and the Mandated Territory of South West Africa be accorded, in respect of customs duties levied on imports, treatment not less favourable than that accorded to goods the growth, produce or manufacture of the most-favoured foreign nation, on His Majesty's Government in Canada undertaking to accord to goods the growth, produce or manufacture of the Union of South Africa or the Mandated Territory of South West Africa, not specially provided for in any Trade Agreement concluded between our two Governments, when imported into Canada from the Union of South Africa or the Mandated Territory of South West Africa, in respect of customs duties levied on imports, treatment not less favourable than that accorded to goods the growth, produce or manufacture of the most-favoured foreign nation; provided that:—

the provisions of this Note shall not extend to favours actually granted or which may hereafter be granted by the Union of South Africa and the Mandated Territory of South West Africa to any State or Territory adjoining the Union of South Africa, or the Mandated Territory of South West Africa.

The present Note, and your reply in similar terms, intimating the concurrence of His Majesty's Government in Canada, in the proposal made herein will be regarded as an agreement between our two Governments in this matter with effect from the 1st July, 1935, provided that, in terms of the Law relating to Customs of the Union of South Africa, this Agreement shall lapse if not ratified by the Parliament of the Union of South Africa,\* by Resolution of both Houses during the next ensuing Session, and provided further that, if ratified, it shall be terminable by six months' notice on either side.

I have the honour to be,

Sir,

Your obedient servant,

H. B. M. HERTZOG

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\* The present Agreement was approved by resolution of both Houses of Parliament of the Union of South Africa during its 1936 session.

*From the Secretary of State for External Affairs of Canada to the  
Minister of External Affairs of the Union of South Africa.*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, August 31, 1935.

SIR,

I have the honour to refer to your Note of August 2nd respecting tariff relations between Canada and the Union of South Africa, and to accept, on behalf of His Majesty's Government in Canada, the proposal of your Government for the exchange of treatment not less favourable than that accorded the most-favoured foreign nation in respect to Customs duties under the terms and conditions therein set forth.

It is understood that your Note under reference and this reply will constitute an Agreement between our two Governments with effect from July 1st, 1935, provided it shall lapse if not ratified by the Parliament of the Union of South Africa by Resolution of both Houses during the next ensuing Session. It is further understood that this Agreement shall be terminable by six months' notice on either side.

I have the honour to be,

Sir,

Your obedient servant,

R. B. BENNETT



CANADA

TREATY SERIES, 1935

No. 9

EXCHANGE OF NOTES

(September 23 and 24 and November 5, 1935)

PROLONGING FOR ONE YEAR AND MODIFYING  
THE AGREEMENT OF SEPTEMBER 15/16, 1932,  
CONCERNING FLIGHTS OF MILITARY  
AIRCRAFT

BETWEEN

CANADA AND THE UNITED STATES  
OF AMERICA

The Agreement of September 15/16, 1932, was extended in June 1933  
and in July 1934 until June 30, 1935

IN FORCE JULY 1, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



# EXCHANGE OF NOTES

(September 23 and 24 and November 5, 1935)

## PROLONGING FOR ONE YEAR AND MODIFYING THE AGREEMENT OF SEPTEMBER 15/16, 1932, CONCERNING FLIGHTS OF MILITARY AIRCRAFT

BETWEEN

## CANADA AND THE UNITED STATES OF AMERICA

The Agreement of September 15/16, 1932, was extended in June 1933  
and in July 1934 until June 30, 1935

IN FORCE JULY 1, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



**EXCHANGE OF NOTES (SEPTEMBER 23 AND 24 and NOVEMBER 5, 1935) PROLONGING FOR ONE YEAR AND MODIFYING THE AGREEMENT OF SEPTEMBER 15/16, 1932, CONCERNING FLIGHTS OF MILITARY AIRCRAFT BETWEEN CANADA AND THE UNITED STATES OF AMERICA**

*From the Secretary of State for External Affairs of Canada to the Minister of the United States of America at Ottawa.*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, September 23, 1935.

No. 107

SIR,

I have the honour further to refer to Mr. Boal's note No. 493 of June 12, 1935, proposing a renewal of the Agreement of 1932 between our two Governments whereby military aircraft of either country are permitted to fly over specified portions of the territory of the other, and requesting that the Agreement be amended as described below.

Upon reconsideration of the position taken in my reply No. 76 of July 17, 1935, the Canadian Government, being anxious to meet, so far as possible, the wishes of your Government which you have recently repeated, is prepared to renew the existing Agreement for another year, and, upon the understanding mentioned below, to consent to its amendment so as to permit flights of military aircraft of the United States from Selfridge Field, Michigan, to the Municipal Airport at Toledo, Ohio, and return. Such flights, when starting from Selfridge Field, would enter Canadian territory at the eastern limits of Windsor, Ontario, and would leave Canadian territory near the western limits of Amherstburg, Ontario. This consent, however, is given upon the understanding that, should the Canadian Government at any time request reciprocal privileges, every consideration would be given by your Government to such a request.

I should, therefore, be glad to know whether the Government of the United States are prepared to accept this understanding and, if so, whether the present note may be accepted as renewing the Agreement of 1932 for a further period of one year as from July 1, 1935, but with the amendment and subject to the understanding set out in the preceding paragraph.

Accept, sir, the renewed assurances of my highest consideration.

O. D. SKELTON

*for the Secretary of State for External Affairs*



*From the Charge d'Affaires a.i. of the United States of America at Ottawa  
to the Secretary of State for External Affairs of Canada*

LEGATION OF THE UNITED STATES OF AMERICA

OTTAWA, September 24, 1935.

No. 41

SIR,

I have the honour to acknowledge the receipt of your note No. 107 of September 23, 1935, stating that the Canadian Government is prepared to renew for one year, as from July 1, 1935, the Agreement of 1932 permitting military aircraft of either country to fly over specified portions of the territory of the other. The Agreement would be renewed with amendment to permit flights of American planes from Selfridge Field, Michigan, to the Municipal Airport at Toledo, and return, over Canadian territory as mentioned in your note. It is further noted that the consent is given upon the understanding that should the Canadian Government at any time request reciprocal privileges every consideration would be given to such a request.

The matter has been referred to the Secretary of State and upon receipt of instructions from him in this regard I shall not fail to inform you.

I avail myself of the occasion to renew to you, sir, the assurances of my highest consideration.

LA VERNE BALDWIN

*From the Minister of the United States of America at Ottawa to the  
Secretary of State for External Affairs of Canada*

LEGATION OF THE UNITED STATES OF AMERICA

OTTAWA, November 5, 1935.

No. 69

SIR,

I have the honour to refer to Note No. 41, dated September 24, 1935, from this office, acknowledging your note No. 107 of September 23 regarding the renewal of the agreement permitting military aircraft of either country to fly over specified portions of the territory of the other.

As you were informed in the acknowledgment of your note, the question of consideration by my Government of a possible future request for reciprocal privileges was referred to the Secretary of State, and I am happy to inform you that I have now been instructed to state that your note is regarded as renewing the agreement of 1932 for a further period of one year, beginning July 1, 1935, but with the amendment and subject to the understanding set forth in that note.

I avail myself of the occasion to renew to you, sir, the assurances of my highest consideration.

NORMAN ARMOUR .

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Treaties  
CANADA

TREATY SERIES, 1935

No. 10

EXCHANGE OF NOTES

(May 22, June 7/10, 1935)

EXTENDING FOR NINE MONTHS THE COMMERCIAL  
"MODUS VIVENDI" OF APRIL 12 and 13, 1935

BETWEEN

CANADA

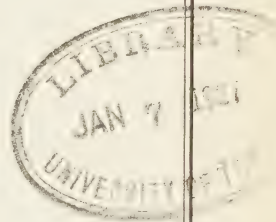
AND

HAYTI

IN FORCE JULY 15, 1935



OTTAWA  
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1936



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# EXCHANGE OF NOTES

(May 22, June 7/10, 1935)

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"MODUS VIVENDI" OF APRIL 12 and 13, 1935

BETWEEN

CANADA

AND

HAYTI

IN FORCE JULY 15, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936





EXCHANGE OF NOTES (MAY 22, JUNE 7/10, 1935) EXTENDING FOR  
NINE MONTHS THE COMMERCIAL "MODUS VIVENDI" OF  
APRIL 12 AND 13, 1935, BETWEEN CANADA AND HAYTI

*From the British Minister at Port-au-Prince to the Secretary of State for  
Foreign Affairs of Hayti.*

BRITISH LEGATION

PORT-AU-PRINCE, May 22, 1935.

No. 257/70/35

SIR,

I have the honour to inform Your Excellency that the Government of Canada has by administrative order accorded to Haytian products as from April 15th the benefit of the lowest rate of duty applicable to similar foreign goods imported into Canada.

Formal extension of Most Favoured Nation treatment will require legislative action and in this connection the Canadian Government has informed me that Parliament is likely to adjourn within a few weeks, and I understand that it usually does not reassemble before January or February. It is clear that a definitive commercial treaty could not be concluded before the adjournment of Parliament, and the Canadian Government has therefore requested me to seek the agreement of the Haytian Government to the extension of the term of the present *Modus Vivendi* for a further nine months from July 15th, 1935, so that legislative sanction can be obtained now for an agreement operative during the whole period during which Parliament is not sitting, during which ratifications of Treaties or Agreements could not of course be procured.

I should be grateful if Your Excellency would inform me whether this proposal is agreeable to the Haytian Government. If so, the extension could, should you see no objection, be effected by an exchange of notes.

I avail myself of this opportunity to renew to Your Excellency the assurance of my high consideration.

F. M. SHEPHERD

*From the Secretary of State for Foreign Affairs of Hayti to His Britannic Majesty's Minister Resident.*

(Translation)

REPUBLIC OF HAYTI

PORT-AU-PRINCE, June 7, 1935.

MONSIEUR LE MINISTRE,

With reference to your note of May 22 last, No. 257/70/35, I have the honour to inform you that my Government, considering the fact that the Canadian Parliament is likely to adjourn within a few weeks, and that the conclusion of the proposed commercial treaty between our two countries will thus be made impossible, has decided to acquiesce to the proposal of the Canadian Government to extend for a further nine months from July 15 next, the term of the commercial *Modus Vivendi* between Canada and Hayti.

I note that the extension from this moment of the said *Modus Vivendi* will make it possible for the Canadian Parliament to give the required legislative sanction to an agreement designed to be in force during the whole period of adjournment.

I avail myself of this occasion to renew to you, sir, the assurance of my highest consideration.

Y. CHATELAIN

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*From the British Minister at Port-au-Prince to the Secretary of State for Foreign Affairs of Hayti*

BRITISH LEGATION

PORT-AU-PRINCE, June 10, 1935.

SIR,

I have the honour to acknowledge the receipt of Your Excellency's letter of June 7th in which Your Excellency is good enough to state that, in view of the fact that the Canadian Legislature will adjourn in a few weeks, before a commercial agreement between Hayti and Canada could be concluded, the Haytian Government has decided to agree to the proposal of the Canadian Government to extend by nine months from July 15th next the period of the commercial *Modus Vivendi* between Hayti and Canada, so that legislative sanction can be sought by the Canadian Government for a *Modus Vivendi* which would be in force during the whole period of the recess of the Canadian legislature.

It is accordingly understood that Your Excellency's note of June 7th and the present note constitute a prolongation of the *Modus Vivendi* of April 12th, 1935, between Hayti and Canada for nine months from July 15th, 1935.

I avail myself of this opportunity to renew to Your Excellency the assurance of my high consideration.

F. M. SHEPHERD

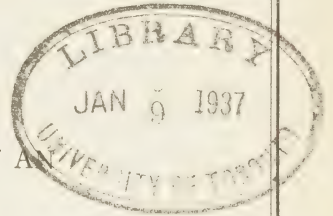
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Treaties

CANADA

TREATY SERIES, 1935

No. 11



NOTIFICATION EFFECTED BY A

EXCHANGE OF NOTES

(May 17, July 1, November 11 and 29, 1935)

EXTENDING TO CANADA AS FROM THE 1st AUGUST, 1935

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

THE PRESIDENT OF THE GERMAN REICH

REGARDING

LEGAL PROCEEDINGS IN CIVIL AND  
COMMERCIAL MATTERS

Signed at London March 20, 1928

Ratifications Exchanged at Berlin February 15, 1929

IN FORCE AUGUST 1, 1935



OTTAWA

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NOTIFICATION EFFECTED BY AN  
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(May 17, July 1, November 11 and 29, 1935)  
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Signed at London March 20, 1928  
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IN FORCE AUGUST 1, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936





**NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (MAY 17,  
JULY 1 AND NOVEMBER 11 AND 29, 1935) EXTENDING TO  
CANADA AS FROM THE 1st AUGUST, 1935, THE CONVENTION  
BETWEEN HIS MAJESTY AND THE PRESIDENT OF THE GER-  
MAN REICH REGARDING LEGAL PROCEEDINGS IN CIVIL AND  
COMMERCIAL MATTERS**

*From the Secretary of State for External Affairs of Canada to the Secretary of  
State for Dominion Affairs*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, May 17, 1935.

SIR,—I have the honour to invite your attention to the Civil Procedure Conventions which have been concluded with Spain, Sweden, Norway, Poland, Italy, Austria, Portugal, Turkey and Germany, all of which have been signed and duly ratified. I have the honour to state that His Majesty's Government in Canada desire that, in accordance with the stipulations therein contained, these Conventions shall be extended to Canada by notification to the representative Governments. Such extension might well come into force from the date of ratification, or from a fixed date. In the latter event, it would be most convenient if the date could be the same in respect to all of the Conventions, and I venture to suggest that the 1st August of this year would be a satisfactory and, presumably, a practicable date. The question of dates will, of course, depend upon the circumstances but, if feasible, a uniform date would be preferable.

The authorities to whom judicial and extra-judicial Acts and Commissions Rogatoires are to be transmitted, will be, where action is to be taken in any Province in Canada, the Attorney-General of such Province. In the North West Territories, the Commissioner of the North West Territories; and in Yukon Territory, the Gold Commissioner of that Territory. The language in which communications to such authorities and translations are to be made will be English, except in the Province of Quebec, where they may be made either in English or in French. In order to insure due execution, Commissions Rogatoires should contain full and complete interrogatories.

I shall be obliged, therefore, if steps will be taken to make the necessary notifications to the representative Governments.

I have the honour to be,

Sir,

Your obedient servant,

O. D. SKELTON  
*for the Secretary of State for  
External Affairs.*

*From the British Charge d'Affaires at Berlin to the Minister of Foreign Affairs of Germany*

BRITISH EMBASSY

BERLIN, July 1, 1935.

YOUR EXCELLENCY,—At the instance of His Majesty's Government in Canada I have the honour to notify to Your Excellency, in accordance with Article 18 (a) of the convention regarding legal proceedings in civil and commercial matters, which was signed at London on the 20th March, 1928, the accession of His Majesty to that Convention in respect of the Dominion of Canada.

The attached list indicates the authority in the various Provinces of Canada to whom judicial and extra-judicial documents and "Letters of Request" should be transmitted, and the language in which communications and translations are to be made.

In accordance with Article 18 (a) of the Convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 1st August next.

In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication,

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

B. C. NEWTON

*From the British Embassy at Berlin to the Ministry for Foreign Affairs of Germany*

BRITISH EMBASSY

BERLIN, November 11, 1935.

His Majesty's Embassy presents its compliments to the Ministry for Foreign Affairs and has the honour to transmit, herewith, at the instance of His Majesty's Government in Canada, a list of the addresses of the Canadian authorities referred to in the Ministry's Note Verbale No. V 9745 of July 9th last.

His Majesty's Embassy would be glad to receive, at the Ministry's convenience, an official Note in acknowledgment and confirmation of His Majesty's Ambassador's Note of July 1st last.

<i>Province or Territory</i>	<i>Authority</i>	<i>Language</i>
Ontario	Attorney General	English
Quebec	Attorney General	English or French
Nova Scotia	Attorney General	English
Prince Edward Island	Attorney General	English
New Brunswick	Attorney General	English
British Columbia	Attorney General	English
Manitoba	Attorney General	English
Saskatchewan	Attorney General	English
Alberta	Attorney General	English
North West Territories	Commissioner of the North West Territories	English
Yukon Territory	The Gold Commissioner of the Yukon Territory	English

*From the Minister of Foreign Affairs of Germany to the British Ambassador  
at Berlin*

MINISTRY FOR FOREIGN AFFAIRS

BERLIN, November 29, 1935.

YOUR EXCELLENCY,—I have the honour to acknowledge the receipt of the Note, No. 192/101/10/35, signed by His Britannic Majesty's Charge d'Affaires, Mr. B. C. Newton, and dated July 1st, 1935.

The German Government has taken note that the Government of His Britannic Majesty in Canada desires to see the application of the Anglo-German Civil Procedure Convention of March 20th, 1928, extended to the Dominion of Canada with effect from August 1st, 1935. The German Government also takes note of the enclosure in your communication of November 11th, 1935—No. 337/101/15/35 indicating the authorities to whom judicial and extra judicial documents and letters of request are to be transmitted and the language in which communications and translations are to be made.

In accordance with article 18 (a) of the Civil Procedure Convention of March 20th, 1928, its provisions entered into force as regards Canada on August 1st, 1935.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

BULOW

## CONVENTION BETWEEN HIS MAJESTY AND THE PRESIDENT OF THE GERMAN REICH REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and the President of the German Reich, being desirous to facilitate the conduct of legal proceedings between persons resident in their respective territories, have resolved to conclude a Convention for this purpose and have appointed as their Plenipotentiaries:—

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:—

For Great Britain and Northern Ireland, all British Colonies and Protectorates and territories under His suzerainty and all mandated areas administered by His Government in Great Britain:

The Right Honourable Sir Austen Chamberlain, K.G., M.P.,  
His Majesty's Principal Secretary of State for Foreign Affairs;

The President of the German Reich:—

His Excellency Dr. Friedrich Sthamer, Ambassador Extraordinary  
and Plenipotentiary of the German Reich in London;

who, having communicated their full powers, found in good and due form, have agreed as follows:—

### I.—*Preliminary*

#### ARTICLE 1

This Convention applies only to civil and commercial matters including non-contentious matters.

### II.—*Service of Judicial and Extra-Judicial Documents*

#### ARTICLE 2

When judicial or extra-judicial documents drawn up in the territory (to which this Convention applies) of one of the Contracting Parties are to be served on persons, partnerships, corporations or companies in the territory (to which this Convention applies) of the other, such documents may, without prejudice to the provisions of Articles 6 and 7 hereof, be served on the recipient in either of the ways provided in Articles 3 and 5.

#### ARTICLE 3

(a) The request for service shall be transmitted:—

In England by a German diplomatic or consular officer to the Senior Master of the Supreme Court of Judicature in England.

In Germany by a British consular officer to the President of the German "Landgericht."

(b) The request, containing the name of the authority from whom the document transmitted emanates, the names and descriptions of the parties, the address of the recipient and the nature of the document in question shall be drawn up in the language of the country in which the documents are to be served. If in a particular case the judicial authority applied to shall express a desire to that effect to the diplomatic or consular officer by whom the request is transmitted, such officer shall furnish a translation of the document to be served.

(c) Service shall be effected by the competent authority of the country applied to. Such authority, except in the cases provided for in paragraph (d) of this article, may limit his action to effecting service by the transmission of the document to the recipient if he is willing to accept it.



(d) If the document to be served is drawn up in the language of the country applied to, or is accompanied by a translation in that language, the authority applied to (should a wish to that effect be expressed in the request) shall serve the document in the manner prescribed by the law of his own country for the service of similar documents or in a special form which is not incompatible with such law.

(e) The translation provided for in this article shall be certified as correct by a diplomatic or consular officer of the Contracting Party making the request or by an official or sworn translator of one of the two countries concerned.

(f) The execution of the request for service can only be refused if the Contracting Party in whose territory it is to be effected considers it such as to compromise his sovereignty or safety.

(g) The authority who receives the request shall send to the diplomatic or consular officer by whom it was transmitted the document proving the service or explaining the reason which has prevented such service. Proof of service shall be furnished by a certificate from the authority of the country applied to setting forth the fact, the manner and date of such service. If any document to be served is transmitted in duplicate, the certificate of service shall be placed on one of the duplicates or attached thereto.

#### ARTICLE 4

No fees of any description shall be payable by one Contracting Party to the other in respect of the service.

Nevertheless, in the cases provided for in Article 3, the Contracting Party making the request must pay to the other Contracting Party any charges and expenses which are payable under the local law to the persons employed to effect service and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall be such as are usually allowed in such cases in the Courts of the Contracting Party applied to. Repayment of these charges and expenses shall be claimed by the judicial authority by whom the service has been effected when sending the certificate provided for in Article 3 (g) to the diplomatic or consular officer by whom the request was transmitted.

#### ARTICLE 5

The document to be served may also be served on the recipient, unless he is a subject or citizen of the Contracting Party in whose territory the document is to be served, without the intervention of the authorities of the country in which service is to be effected:—

(a) By a diplomatic or consular officer of the Contracting Party from whose territory the document emanates; or

(b) By an agent appointed either generally or in any particular case, by a tribunal of the country from which the document emanates, or by the party on whose application the document was issued, provided that the validity of any service effected by any such agent shall, in the courts of the country where such service is effected, be determined by the law of that country.

#### ARTICLE 6

Documents may also be transmitted by post in cases where this method of transmission is permitted by the law of the country from which the document emanates.

#### ARTICLE 7

The provisions of Articles 2, 3, 4, 5 and 6 do not prevent the persons concerned from effecting service directly through the competent officials or officers of the country in which the document is to be served.

III.—*Taking of Evidence*

## ARTICLE 8

When a Court in any territory (to which the Convention applies) of one of the Contracting Parties orders that evidence should be taken in any territory (to which this Convention applies) of the other Contracting Party, this may be done in any one of the ways prescribed in Articles 9, 11 and 12.

## ARTICLE 9

(a) The Court may, in accordance with the provisions of its own law, address itself by means of "Letters of Request" to the competent authority of the other Contracting Party, requesting it to take the evidence within its jurisdiction.

(b) The "Letters of Request" shall be drawn up in the language of the authority to whom they are addressed, or be accompanied by a translation in such language certified as correct by a diplomatic or consular officer of the Contracting Party making the request, or by an official or sworn translator of one of the two countries concerned.

(c) The "Letters of Request" shall be transmitted:—

In England by a German diplomatic or consular officer to the Senior Master of the Supreme Court of Judicature in England;

In Germany by a British consular officer to the President of the German Landgericht.

(d) It shall be incumbent upon the judicial authority to whom the "Letters of Request" are addressed to give effect thereto by the use of the same compulsory measures as are employed in the execution of a commission or order emanating from the authorities of his own country.

(e) The diplomatic or consular officer by whom the "Letters of Request" are transmitted shall, if he so desires, be informed of the date and place where the proceedings will take place, in order that the interested party or parties may be able to be present, or to be represented.

(f) The execution of the "Letters of Request" can only be refused:—

(1) If the authenticity of the "Letters of Request" is not established;

(2) If in the country where the evidence is to be taken, the execution of the "Letters of Request" in question does not fall within the functions of the judiciary;

(3) If the Contracting party applied to considers that his sovereignty or safety would be compromised thereby.

(g) In case the authority to whom they are addressed is without jurisdiction, the "Letters of Request" shall be forwarded without any further request to the competent authority of the same country in accordance with the rules laid down by its law.

(h) In every instance where the "Letters of Request" are not executed by the authority to whom they are addressed, the latter will at once inform the diplomatic or consular officer by whom the "Letters of Request" were transmitted, stating the grounds on which the execution of the "Letters of Request" has been refused, or the judicial authority to whom they have been forwarded.

(i) The authority which executes the "Letters of Request" will apply, so far as the procedure to be followed is concerned, the law of his own country.

Nevertheless, an application by the authority making the request that some special procedure may be followed shall be acceded to, provided that such procedure is not incompatible with the law of the country applied to.

## ARTICLE 10

No fees of any description shall be payable by one Contracting Party to the other in respect of the execution of any "Letters of Request."

Nevertheless, the Contracting Party making the request shall repay to the other Contracting Party any charges and expenses payable to witnesses, experts, interpreters, or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom the competent judicial authority may have deputed to act in cases where his municipal law permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed.

The repayment of these charges and expenses may be claimed by the judicial authority by whom the "Letters of Request" have been executed, when sending to him the documents establishing their execution, from the diplomatic or consular officer by whom they were transmitted. These charges and expenses shall be such as are usually allowed in such case in the courts of the country where the "Letters of Request" have been executed.

#### ARTICLE 11

(a) The evidence may also be taken without the intervention of the authorities of the country in which it is to be taken, by a diplomatic or consular officer of the Contracting Party before whose Courts the evidence is to be used:—

Provided that this Article shall not apply to the taking of evidence of subjects or citizens of the Contracting Party in whose territory it is to be taken unless and until the German Government, at any time, by a notification\* given through their Ambassador in London, signify their consent to the Article being so applied, in which case this Article shall, as from the date of such notification, apply to such subjects or citizens if they consent to their evidence being so taken.

(b) The diplomatic or consular officer appointed to take the evidence may request named individuals to appear as witnesses or to produce any document, and shall have power to administer an oath, but he shall have no compulsory powers.

(c) The evidence may be taken in accordance with the procedure laid down by the law of the country in which the evidence is to be used, and the parties shall have the right to be present and to be represented by counsel or solicitors of that country, or by any person competent to appear before the tribunals of either country.

#### ARTICLE 12

(a) The competent court of the Contracting Party applied to may also be requested to cause the evidence to be taken by a diplomatic or consular officer of the Contracting Party making the request.

The court applied to shall, in the case of subjects or citizens of the Contracting Party making the request, take the necessary steps to secure the attendance of and the giving of evidence by witnesses and other persons to be examined, and the production of documents, making use, if necessary, of its compulsory powers.

(b) The person thus nominated shall have power to administer an oath. The evidence shall be taken in accordance with the law of the country in which it is to be used, and the parties shall have the right to be present in person or represented by counsel or solicitors of that country or by any persons who are competent to act before the courts of either country.

#### ARTICLE 13

The fact that an attempt to take evidence by the method laid down in Article 11 has failed owing to the refusal of any witnesses to appear or to give evidence, or to produce documents does not preclude an application being subsequently made in accordance with Articles 9 or 12.

\* This notification was made by the German ambassador on February 15, 1929.



## ARTICLE 14

The subjects or citizens of one Contracting Party shall enjoy in the territories (to which the Convention applies) of the other Contracting Party a perfect equality of treatment as regards free judicial assistance for poor persons and imprisonment for debt, and, provided that they are resident in any such territory, shall not be compelled to give security for costs in any case where a subject or citizen of such other Contracting Party would not be so compelled.

## IV.—General Provisions

## ARTICLE 15

Any difficulties which may arise in connection with the operation of this Convention shall be settled through the diplomatic channel.

## ARTICLE 16

The present Convention, of which the English and German\* texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged at Berlin and the Convention shall come into force one month after the date on which ratifications are exchanged, and shall remain in force for three years after the date of its coming into force. In case neither of the Contracting Parties shall have given notice to the other six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the Contracting Parties shall have given such notice.

## ARTICLE 17

(a) The present Convention shall not apply *ipso facto* to Scotland or Northern Ireland, nor to any of His Britannic Majesty's Colonies or Protectorates nor to any territories under his suzerainty, nor to any mandated areas administered by his Government in Great Britain, but His Britannic Majesty may at any time, by a notification given through His Majesty's Ambassador at Berlin, extend the operation of this Convention to any of the above-mentioned territories.

(b) Such notification shall state the date on which such extension shall come into force, the authorities in the territory concerned to whom judicial and extra-judicial documents and "Letters of Request" are to be transmitted, and the language in which communications to such authorities and translations should be made. The date of the coming into force of any such extension shall not be less than one month from the date of such notification.

(c) Either of the Contracting Parties may, at any time after the expiry of three years from the coming into force of the extension of this Convention to any of the territories referred to in paragraph (a) of this Article, terminate such extension on giving six months' previous notice.

## ARTICLE 18

(a) His Britannic Majesty may at any time, by a notification given through his Ambassador at Berlin, accede to the present Convention in respect of any of his self-governing Dominions or India. The provisions of Article 17 (b) shall be applicable to any such notification. Any such accession shall take effect one month after the date of its notification.

(b) After the expiry of a period of three years from the date of the coming into force of any accession under paragraph (a) of this Article, either of the Contracting Parties may, by giving six months' notice, terminate the application of the Convention to any country in respect of which such notification of accession has been given. In the absence of such notice, the termination of the Convention under Article 16 shall not affect its application to any such country.

\* Not printed.

(c) Any notification made under paragraph (a) of this Article may include any dependency or mandated area administered by the Government of the country in respect of which the notification of accession is given; and any notice of termination given under paragraph (b) shall apply to any such dependency or mandated area which was included in such notification of accession.

In witness whereof the respective Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done in duplicate at London the twentieth day of March, 1928.

(L.S.)      AUSTEN CHAMBERLAIN

(L.S.)      STHAMER





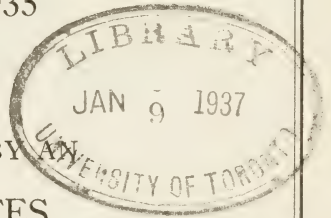
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Treaties

CANADA

TREATY SERIES, 1935

No. 12



NOTIFICATION EFFECTED BY

EXCHANGE OF NOTES

(May 17, July 1 and 7, 1935)

EXTENDING TO CANADA AS FROM THE 1st AUGUST, 1935

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

HIS MAJESTY THE KING OF SPAIN

REGARDING

LEGAL PROCEEDINGS IN CIVIL AND  
COMMERCIAL MATTERS

Signed at London June 27, 1929

Ratifications Exchanged at Madrid April 9, 1930

IN FORCE AUGUST 1, 1935



OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1936

Price, 25 cents



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**NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (MAY 17, JULY 1 AND 7, 1935), EXTENDING TO CANADA AS FROM THE 1st AUGUST, 1935, THE CONVENTION BETWEEN HIS MAJESTY AND HIS MAJESTY THE KING OF SPAIN REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS.**

*From the Secretary of State for External Affairs of Canada to the  
Secretary of State for Dominion Affairs.*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, May 17, 1936.

SIR,

I have the honour to invite your attention to the Civil Procedure Conventions which have been concluded with Spain, Sweden, Norway, Poland, Italy, Austria, Portugal, Turkey and Germany, all of which have been signed and duly ratified. I have the honour to state that His Majesty's Government in Canada desire that, in accordance with the stipulations therein contained, these Conventions shall be extended to Canada by notification to the representative Governments. Such extension might well come into force from the date of ratification, or from a fixed date. In the latter event, it would be most convenient if the date could be the same in respect to all of the Conventions, and I venture to suggest that the 1st of August of this year would be a satisfactory and, presumably, a practicable date. The question of dates will, of course, depend upon the circumstances but, if feasible, a uniform date would be preferable.

The authorities to whom judicial and extra-judicial Acts and Commissions Rogatoires are to be transmitted, will be, where action is to be taken in any Province in Canada, the Attorney-General of such Province; in the North West Territories, the Commissioner of the North West Territories; and in Yukon Territory, the Gold Commissioner of that territory. The language in which communications to such authorities and translations are to be made will be English, except in the Province of Quebec, where they may be made either in English or in French. In order to insure due execution, Commissions Rogatoires should contain full and complete interrogatories.

I shall be obliged, therefore, if steps will be taken to make the necessary notifications to the representative Governments.

I have the honour to be,

Sir,

Your obedient servant,

O. D. SKELTON

*for the Secretary of State for External Affairs*

*From the British Ambassador at Madrid to the Minister of State of Spain.*

BRITISH EMBASSY

MADRID, July 1, 1935.

YOUR EXCELLENCY,

At the instance of His Majesty's Government in Canada I have the honour to notify to Your Excellency, in accordance with Article 18(a) of the Convention regarding legal proceedings in civil and commercial matters, which was signed at London on the 27th June, 1929, the accession of His Majesty to that Convention in respect of the Dominion of Canada.

The attached list indicates in the various provinces of Canada the authority to whom requests for service or for the taking of evidence should be transmitted, and the language in which communications and translations are to be made.

In accordance with Article 18(a) of the Convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 1st August next.

In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication, I have the honour to assure Your Excellency of my highest consideration.

GEORGE GRAHAME

<i>Province or Territory</i>	<i>Authority</i>	<i>Language</i>
Ontario	Attorney General	English
Quebec	Attorney General	English or French
Nova Scotia	Attorney General	English
Prince Edward Island	Attorney General	English
New Brunswick	Attorney General	English
British Columbia	Attorney General	English
Manitoba	Attorney General	English
Saskatchewan	Attorney General	English
Alberta	Attorney General	English
North West Territories	Commissioner of the North West Territories	English
Yukon Territory	The Gold Commissioner of the Yukon Territory	English

*From the Minister of State of Spain to the British Ambassador at Madrid*

MADRID, July 7, 1935.

YOUR EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note No. 229 dated the 1st July, in which you notified the Spanish Government of the accession of His Britannic Majesty in respect of the Dominion of Canada to the Convention regarding proceedings in civil and commercial matters, signed at London on the 27th June, 1929, and with which you sent a list of the authorities to whom requests for service or for the taking of evidence should be addressed in the Provinces of that country.

J. M. AGUINAGA

## CONVENTION BETWEEN HIS MAJESTY AND HIS MAJESTY THE KING OF SPAIN REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Catholic Majesty, the King of Spain,

Being desirous to render mutual assistance in the conduct of legal proceedings, in their respective territories, in civil and commercial matters, which are being dealt with or which it is anticipated may be dealt with by their respective judicial authorities;

Have resolved to conclude a Convention for this purpose and have appointed as their plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland, all British Colonies and Protectorates and territories under His suzerainty and all mandated territories administered by His Government in the United Kingdom of Great Britain and Northern Ireland:

The Right Honourable Arthur Henderson, M.P., His Majesty's Principal Secretary of State for Foreign Affairs;  
and

His Catholic Majesty the King of Spain:

His Excellency the Marquess de Merry del Val, Knight Grand Cross of the Order of Carlos III, G.C.V.O., His Ambassador Extraordinary and Plenipotentiary at the Court of His Britannic Majesty,

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

### I.—*Preliminary*

#### ARTICLE 1

(a) This Convention applies only to civil and commercial matters, including non-contentious matters.

(b) In this Convention the words "territory of one (or of the other) High Contracting Party" shall be interpreted as meaning at any time any of the territories of such High Contracting Party to which the Convention at that time applies.

### II.—*Service of Judicial and Extra-Judicial Documents*

#### ARTICLE 2

When judicial or extra-judicial documents drawn up in the territory of one of the High Contracting Parties are required by a judicial authority situated therein to be served on persons, partnerships, companies, societies or other corporations in the territory of the other High Contracting Party, such documents may, without prejudice to the provisions of Article 5, be served on the recipient, whatever his nationality, in any of the ways provided in Articles 3 and 4.



## ARTICLE 3

(a) A request for service shall be addressed by a Consular Officer of the High Contracting Party from whose territory the documents to be served emanate, to the competent authority of the country where the documents are to be served, requesting such authority to cause the documents to be served. The request shall be sent by such Consular Officer to such authority.

(b) The request for service shall be drawn up in the language of the country where service is to be effected.

The request for service shall state the full names and descriptions of the parties, the full names, address and description of the recipient, and the nature of the document to be served, and shall enclose the documents (originals or copies) to be served in duplicate.

(c) The document to be served shall either be drawn up in the language of the country in which it is to be served, or be accompanied by a translation in such language in duplicate. Such translation shall be certified as correct by a Consular Officer of the High Contracting Party from whose territory the document emanates.

(d) Requests for service shall be addressed and sent:—

In Spain to the President of the competent Territorial Court;

In England to the Senior Master of the Supreme Court of Judicature.

If the authority to whom a request for service has been sent is not competent to execute it, such authority shall of his own motion transmit the document to the competent authority of his own country.

(e) Service shall be effected by the competent authority of the country where the document is to be served, who shall serve the document in the manner prescribed by the municipal law of such country for the service of similar documents, except that, if a wish for some special manner of service is expressed in the request for service, such manner of service shall be followed in so far as it is not incompatible with the law of that country.

(f) The execution of the request for service duly made in accordance with the preceding provisions of this Article shall not be refused unless (1) the authenticity of the request for service is not established, or (2) the High Contracting Party in whose territory it is to be effected considers that his sovereignty or safety would be compromised thereby.

(g) The authority by whom the request for service is executed shall furnish a certificate proving the service or explaining the reason which has prevented such service, and setting forth the fact, the manner and the date of such service, or attempted service, and shall send the said certificate to the Consular Officer by whom the request for service was made. The certificate of service or of attempted service shall be placed on one of the duplicates or attached thereto.

## ARTICLE 4

(a) Service may be effected without any request to or intervention of the authorities of the country where it is effected:—

(1) By a Consular Officer of the High Contracting Party from whose territory the document emanates;

(2) By an agent appointed for the purpose either by the judicial authority by whom service of the document is required or by the party on whose application the document was issued;

but in neither of these cases can any measures of compulsion be employed.

(b) All documents served in the manner provided in the preceding paragraph shall, unless the recipient is a subject of the High Contracting Party from whose territory the document to be served emanates, either be drawn up in the language of the country in which service is to be effected or accompanied by a translation into such language certified as correct as prescribed in Article 3 (c).

#### ARTICLE 5

Nothing in this Convention shall render illegal or inadmissible the service in the territory of one High Contracting Party of documents drawn up in the territory of the other High Contracting Party by any one of the following methods of service in any case where such method is recognized as valid by the law of the country from which the documents emanate:—

(a) By the competent officials or officers of the country where they are to be served acting directly at the request of the parties concerned in cases where such officials or officers are not prohibited from so acting by the law of that country;

(b) Through postal channels; or

(c) By any other mode of service which is not illegal under the law existing at the time of service in the country where it is to be effected.

#### ARTICLE 6

(a) In any case where documents have been served in accordance with the provisions of Article 3, the High Contracting Party, by whose Consular Officer the request for service is addressed, shall pay to the other High Contracting Party any charges and expenses which are payable under the law or regulations in force in the country where the service is effected to the persons employed to effect service, and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall not exceed such as are usually allowed in the courts of that country.

(b) Repayment of these charges and expenses shall be claimed by the competent authority by whom the service has been effected from the Consular Officer by whom the request was addressed when sending to him the certificate provided for in Article 3 (g).

(c) Except as provided above, no fees of any description shall be payable by one High Contracting Party to the other in respect of the service of any documents.

### III. *Taking of Evidence*

#### ARTICLE 7

When a judicial authority in the territory of one of the High Contracting Parties requires that evidence should be taken in the territory of the other High Contracting Party, such evidence may be taken in any one of the ways prescribed in Articles 8, 9 and 10.

#### ARTICLE 8

(a) The judicial authority by whom the evidence is required may, in accordance with the provisions of its law, address itself by means of "Letters of Request" to the competent authority of the country where the evidence is to be taken, requesting such authority to take the evidence.



(b) The "Letters of Request" shall be drawn up in the language of the country where the evidence is to be taken, or be accompanied by a translation in such language. Such translation shall be certified as correct by a Consular Officer of the High Contracting Party from whose judicial authority the request emanates. The "Letters of Request" shall state the nature of the proceedings for which the evidence is required, the full names and descriptions of the parties thereto, and the full names, addresses and descriptions of the witnesses. They shall also either be accompanied by a list of interrogatories to be put to the witness or witnesses and a translation thereof certified as correct in the manner heretofore provided or, if this procedure is recognized by the law of the country from which the Letters emanate, request the competent authority to allow such questions to be asked *vivâ voce* as the parties or their representatives shall desire to ask.

(c) The "Letters of Request" shall be transmitted—

In England by a Spanish Consular Officer to the Senior Master of the Supreme Court of Judicature;

In Spain by a British Consular Officer to the President of the competent Territorial Court.

In case the authority to whom "Letters of Request" are transmitted is not competent to execute them, the "Letters of Request" shall be forwarded without any further request to the competent authority of his own country.

(d) The competent authority to whom the "Letters of Request" are transmitted or forwarded shall give effect thereto and obtain the evidence required by the use of the same compulsory measures and the same procedure as are employed in the execution of a commission or order emanating from the authorities of his own country, except that if a wish that some special procedure should be followed is expressed in the "Letters of Request" such special procedure shall be followed in so far as it is not incompatible with the law of the country where the evidence is to be taken.

(e) The Consular Officer, by whom the "Letters of Request" are transmitted, shall, if he so desires, be informed of the date and place where the proceedings will take place, in order that he may inform the interested party or parties who shall be permitted to be present in person or to be represented if they so desire.

(f) The execution of the "Letters of Request" can only be refused—

- (1) If the authenticity of the "Letters of Request" is not established.
- (2) If in the country where the evidence is to be taken the execution of the "Letters of Request" in question does not fall within the functions of the judiciary.
- (3) If the High Contracting Party in whose territory the evidence is to be taken considers that his sovereignty or safety would be compromised thereby.

(g) In every instance where the "Letters of Request" are not executed by the authority to whom they are addressed, the latter will at once inform the Consular Officer by whom they were transmitted, stating the grounds on which the execution of the "Letters of Request" has been refused, or the judicial authority to whom they have been forwarded.

## ARTICLE 9

(a) If the law of the country where the evidence is to be taken authorizes such procedure, the judicial authority by whom the evidence is required may in the "Letters of Request" addressed to the competent authority of the country where the evidence is to be taken request such authority to appoint to take the evidence a person specially designated in the "Letters of Request."

A Consular Officer of the High Contracting Party whose judicial authority requires the evidence, or any other suitable person may be so designated.

(b) Where this procedure is adopted the provisions of paragraphs (b), (c), (f) and (g) of Article 8 shall apply, but the following paragraphs shall be substituted for paragraphs (d) and (e) of that Article.

(c) The competent authority to whom the "Letters of Request" are transmitted or forwarded shall give effect thereto and shall appoint the person designated to take the evidence unless such person shall be unwilling so to act. In addition, if necessary, such authority shall make use of such compulsory powers as it possesses under its own law to secure the attendance of and the giving of evidence by the witnesses and the persons to be examined and the production of documents before the person so appointed.

(d) The person thus appointed shall have power to administer an oath, and any person giving false evidence before him shall be liable in the courts of the country where the evidence is taken to the penalties provided by the law of that country for perjury.

(e) The evidence shall be taken in accordance with the law of the country for whose judicial authority the evidence is required, provided such method is not contrary to the law of the country where the evidence is being taken, and the parties shall have the right to be present in person or to be represented by barristers or solicitors or by any other persons who are competent to appear before the courts of either of the countries concerned.

#### ARTICLE 10

(a) The evidence may also be taken, without any request to or the intervention of the authorities of the country in which it is to be taken by a person in that country directly appointed for the purpose by the court by whom the evidence is required. A Consular Officer of the High Contracting Party whose court requires the evidence or any other suitable person may be so appointed.

(b) A person so appointed to take evidence may request the individuals named by the court appointing him to appear before him and give evidence or to produce any document. He may take all kinds of evidence which are not contrary to the law of the country where the evidence is being taken and shall have power to administer an oath, but he shall have no compulsory powers.

(c) Requests to appear issued by such person shall, unless the recipient is a subject of the High Contracting Party for whose judicial authority the evidence is required, be drawn up in the language of the country where the evidence is to be taken, or be accompanied by a translation into such language.

(d) The evidence may be taken in accordance with the procedure recognized by the law of the country for whose judicial authority the evidence is required, and the parties will have the right to be present or to be represented by barristers or solicitors of that country or by any persons competent to appear before the court of either of the countries concerned.

#### ARTICLE 11

The fact that an attempt to take evidence by the method laid down in Article 10 has failed owing to the refusal of any witness to appear, to give evidence, or to produce documents, does not preclude a request being subsequently made in accordance with Articles 8 or 9.

## ARTICLE 12

(a) Where evidence is taken in either of the ways provided in Articles 8 or 9 the High Contracting Party by whose judicial authority the "Letters of Request" are addressed shall repay to the other High Contracting Party any expenses incurred by the competent authority of the latter in the execution of the request in respect of any charges and expenses payable to witnesses, experts, interpreters, or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom such authority may have deputed to act in cases where the law of his own country permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed. These expenses shall be such as are usually allowed in similar cases in the courts of the country where the evidence has been taken.

(b) The repayment of these expenses shall be claimed by the competent authority by whom the "Letters of Request" have been executed from the Consular Officer by whom they were transmitted when sending to him the documents establishing their execution.

(c) Except as above provided no fees of any description shall be payable by one High Contracting Party to the other in respect of the taking of evidence.

#### IV.—*Judicial Assistance for Poor Persons, Imprisonment for Debt and Security for Costs*

## ARTICLE 13

The subjects of one High Contracting Party shall enjoy in the territory of the other High Contracting Party a perfect equality of treatment with subjects of that High Contracting Party as regards free judicial assistance for poor persons and imprisonment for debt; and provided that they are resident in any such territory, shall not be compelled to give security for costs in any case where a subject of such other High Contracting Party would not be so compelled.

#### V.—*General Provisions*

## ARTICLE 14

Any difficulties which may arise in connection with the operation of this Convention shall be settled through the diplomatic channel.

## ARTICLE 15

The present Convention, of which the English and Spanish\* texts are equally authentic, shall be subject to ratification.

Ratifications shall be exchanged in Madrid. The Convention shall come into force one month after the date on which ratifications are exchanged and shall remain in force for three years after the date of its coming into force. If neither of the High Contracting Parties shall have given notice through the diplomatic channel to the other not less than six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

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\* Not printed.



## ARTICLE 16

(a) This Convention shall not apply *ipso facto* to Scotland or Northern Ireland, nor to any of His Britannic Majesty's Colonies or Protectorates, nor to any territories under his suzerainty, nor to any mandated territories administered by his Government in the United Kingdom of Great Britain and Northern Ireland, but His Britannic Majesty may at any time, while the Convention is in force, under Article 15, by a notification given through his Ambassador at Madrid, extend the operation of this Convention to any of the above-mentioned territories.

(b) Such notification shall state the authorities in the territory concerned to whom requests for service or for the taking of evidence are to be transmitted, and the language in which communications and translations are to be made. The date of the coming into force of any such extension shall be one month from the date of such notification.

(c) Either of the High Contracting Parties may at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph (a) of this Article, terminate such extension on giving six months' notice of termination through the diplomatic channel.

(d) The termination of the Convention under Article 15 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (a) of this Article.

## ARTICLE 17

(a) This Convention shall not apply *ipso facto* to any of the Colonies or Protectorates of His Catholic Majesty the King of Spain, but his Government may at any time extend this Convention to any of such Colonies or Protectorates by a notification given through his Ambassador in London.

(b) The provisions of paragraph (b) of Article 16 shall apply to any such notifications.

(c) The provisions of paragraphs (c) and (d) of Article 16 shall apply to any Colonies or Protectorates of His Catholic Majesty to which this Convention has been extended.

## ARTICLE 18

(a) His Britannic Majesty may at any time, while the present Convention is in force, either under Article 15 or by virtue of any accession under this Article, by a notification given at Madrid through the diplomatic channel accede to the present Convention in respect of any of his self-governing Dominions or India, provided that no notification of accession may be given at any time when His Catholic Majesty has given notice of termination in respect of all the territories of His Britannic Majesty to which the Convention applies. The provisions of Article 16 (b) shall be applicable to such notification. Any such accession shall take effect one month after the date of its notification.

(b) After the expiry of three years from the date of the coming into force of any accession under paragraph (a) of this Article, either of the High Contracting Parties may, by giving a six months' notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given.

The termination of the Convention under Article 15 shall not affect its application to any such country.

(c) Any notification of accession under paragraph (a) of this Article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (b) shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention, in English and Spanish, and have affixed thereto their seals.

Done in duplicate at London, the 27th day of June, 1929.

(L.S.) ARTHUR HENDERSON

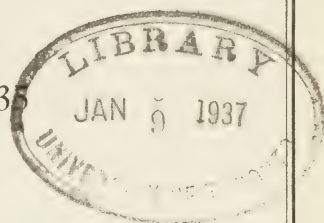
[L.S.] MARQUÉS DE MERRY DEL VAL



Mr. Doe  
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Treaties

CANADA  
—  
TREATY SERIES, 1935  
No. 13



NOTIFICATION EFFECTED BY AN  
EXCHANGE OF NOTES

(May 17, July 1 and 8, 1935)

EXTENDING TO CANADA AS FROM THE 1st AUGUST, 1935

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

HIS MAJESTY THE KING OF SWEDEN

REGARDING

LEGAL PROCEEDINGS IN CIVIL AND  
COMMERCIAL MATTERS

Signed at London, August 28, 1930

Ratifications exchanged at London, January 16, 1931

IN FORCE AUGUST 1, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936

Price, 25 cents



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EXTENDING TO CANADA AS FROM THE 1st, AUGUST 1935

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Signed at London, August 28, 1930

Ratifications exchanged at London, January 16, 1931

IN FORCE AUGUST 1, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



**NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (MAY 17,  
JULY 1 AND 8, 1935) EXTENDING TO CANADA AS FROM THE  
1st AUGUST, 1935, THE CONVENTION BETWEEN HIS MAJESTY  
AND HIS MAJESTY THE KING OF SWEDEN REGARDING LEGAL  
PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS**

*From the Secretary of State for External Affairs of Canada to the Secretary  
of State for Dominion Affairs.*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, May 17, 1935.

SIR,

I have the honour to invite your attention to the Civil Procedure Conventions which have been concluded with Spain, Sweden, Norway, Poland, Italy, Austria, Portugal, Turkey, and Germany, all of which have been signed and duly ratified. I have the honour to state that His Majesty's Government in Canada desire that, in accordance with the stipulations therein contained, these Conventions shall be extended to Canada by notification to the representative Governments. Such extension might well come into force from the date of ratification, or from a fixed date. In the latter event, it would be most convenient if the date could be the same in respect to all of the Conventions, and I venture to suggest that the 1st August of this year would be a satisfactory and, presumably, a practicable date. The question of dates will, of course, depend upon the circumstances but, if feasible, a uniform date would be preferable.

The authorities to whom judicial and extra-judicial Acts and Commissions Rogatoires are to be transmitted, will be, where action is to be taken in any Province in Canada, the Attorney-General of such Province; in the North West Territories, the Commissioner of the North West Territories; and in Yukon Territory, the Gold Commissioner of that Territory. The language in which communications to such authorities and translations are to be made will be English, except in the Province of Quebec, where they may be made either in English or in French. In order to insure due execution, Commissions Rogatoires should contain full and complete interrogatories.

I shall be obliged, therefore, if steps will be taken to make the necessary notifications to the representative Governments.

I have the honour to be,

Sir,

Your obedient servant,

O. D. SKELTON

*for the Secretary of State for External Affairs*



*From the British Minister at Stockholm to the Minister of Foreign Affairs of Sweden.*

BRITISH LEGATION

STOCKHOLM, July 1, 1935.

YOUR EXCELLENCY,

At the instance of His Majesty's Government in Canada, I have the honour to notify to Your Excellency, in accordance with Article 15a of the convention regarding legal proceedings in civil and commercial matters, which was signed at London on the 28th August, 1930, the accession of His Majesty to that convention in respect of the Dominion of Canada.

The attached list indicates the authority in the various provinces of Canada to whom requests for service or for the taking of evidence should be transmitted, and the language in which communications and translations are to be made.

In accordance with Article 15a of the convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 1st August next.

In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication,

I have the honour to be, with the highest consideration,

Your Excellency's most obedient,  
humble servant,

MICHAEL PALAIRET

Province or Territory	Authority	Language
Ontario	Attorney-General	English
Quebec	Attorney-General	English or French
Nova Scotia	Attorney-General	English
Prince Edward Island	Attorney-General	English
New Brunswick	Attorney-General	English
British Columbia	Attorney-General	English
Manitoba	Attorney-General	English
Saskatchewan	Attorney-General	English
Alberta	Attorney-General	English
North West Territories	Commissioner of the North West Territories	English
Yukon Territory	The Gold Commissioner of the Yukon Territory	English

*From the Minister for Foreign Affairs of Sweden to the British Minister at Stockholm*

STOCKHOLM, July 8, 1935.

(Translation)

MONSIEUR LE MINISTRE,

I have the honour to acknowledge receipt of your note No. 53 of the 1st instant respecting the extension to the Dominion of Canada of the effects of the Convention relating to legal proceedings in civil and commercial matters, signed at London on August 28, 1930.

Accept, Sir, the assurance of my highest consideration.

*The Acting Director, Law Division.*  
CLAES WESTRING

## CONVENTION BETWEEN HIS MAJESTY, IN RESPECT OF THE UNITED KINGDOM, AND HIS MAJESTY THE KING OF SWEDEN, REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Sweden;

Being desirous to render mutual assistance in the conduct of legal proceedings, in their respective territories, in civil and commercial matters which are being dealt with or which may possibly be dealt with by their respective judicial authorities;

Have resolved to conclude a Convention for this purpose and have appointed as their Plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

The Right Honourable Arthur Henderson, M.P., His Principal Secretary of State for Foreign Affairs;

His Majesty the King of Sweden:

Baron Eric Gyllenstierna, His Chargé d'Affaires *ad interim* in London;

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

### I.—*Preliminary*

#### ARTICLE 1

(a) This Convention applies only to civil and commercial matters, including non-contentious matters.

(b) In this Convention the words "territory of one (or of the other) High Contracting Party" shall be interpreted as meaning at any time any of the territories of such High Contracting Party to which the Convention at that time applies.

### II.—*Service of Judicial and Extra-Judicial Documents*

#### ARTICLE 2

When judicial or extra-judicial documents drawn up in the territory of one of the High Contracting Parties are required to be served on persons, partnerships, companies, Societies or other corporations in the territory of the other High Contracting Party, such documents may be served on the recipient, whatever his nationality, in the manner provided in Article 3.

#### ARTICLE 3

(a) A request for service shall be addressed by a Consular Officer of the High Contracting Party, from whose territory the documents to be served emanate, to the competent authority of the country where the documents are to be served, requesting such authority to cause the documents to be served. The request shall be sent by such Consular Officer to such authority.

(b) The request for service shall be drawn up in the language of the country where service is to be effected.

The request for service shall state the full names and descriptions of the parties, the full names, address and description of the recipient, and the nature of the document to be served, and shall enclose the documents to be served in duplicate.

(c) The document to be served shall either be drawn up in the language of the country in which it is to be served, or be accompanied by a translation in such language. Such translation shall be certified as correct by a Consular Officer of the High Contracting Party from whose territory the document emanates.

(d) Requests for service shall be addressed and sent:—

In Sweden, to the Governor of the Province in which service is to be effected.

In England to the Senior Master of the Supreme Court of Judicature.

If the authority to whom a request for service has been sent is not competent to execute it, such authority shall of his own motion transmit the document to the competent authority of his own country.

(e) Service shall be effected by the competent authority of the country where the document is to be served, who shall serve the document in the manner prescribed by the municipal law of such country for the service of similar documents, except that, if a wish for some special manner of service is expressed in the request for service, such manner of service shall be followed in so far as it is not incompatible with the law of that country.

(f) The execution of the request for service duly made in accordance with the preceding provisions of this Article shall not be refused unless (1) the authenticity of the request for service is not established, or (2) the High Contracting Party in whose territory it is to be effected considers that his sovereignty or safety would be compromised thereby.

(g) The authority by whom the request for service is executed shall furnish a certificate proving the service or explaining the reason which has prevented such service, and setting forth the fact, the manner and the date of such service or attempted service, and shall send the said certificate to the Consular Officer by whom the request for service was made. The certificate of service or of attempted service shall be placed on one of the duplicates or attached thereto.

#### ARTICLE 4

(a) The provisions of Articles 2 and 3 in no way prejudice the right to use in the territory of either High Contracting Party, without any request to or intervention of the authorities of the country where service is to be effected, any of the following methods of service in connection with judicial or extra-judicial documents drawn up in the territory of the other High Contracting Party:—

(1) Service by a Consular Officer of the High Contracting Party from whose territory the document emanates;

(2) Service by an agent appointed for the purpose either by the judicial authority by whom service of the document is required, or by the party on whose application the document was issued;

(3) Through the postal channel;

(4) Any other mode of service recognized by the law existing at the time of service in the country from which the documents emanate.

(b) It is understood that the validity and effect of any such service will remain a matter for the determination of the respective courts of the High Contracting Parties in accordance with their law.



(c) The High Contracting Parties agree that in principle it is desirable that documents served by any of these methods should, unless the recipient is a subject of the High Contracting Party from whose territory the document to be served emanates, either be drawn up in the language of the country in which service is to be effected or accompanied by a translation into such language. Nevertheless, in the absence of any legislation in their respective territories making translations obligatory in such cases, the High Contracting Parties do not accept any obligation in this respect.

#### ARTICLE 5

(a) In any case where documents have been served in accordance with the provisions of Article 3, the High Contracting Party, by whose Consular Officer the request for service is addressed, shall pay to the other High Contracting Party any charges and expenses which are payable under the law of the country where the service is effected to the persons employed to effect service, and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall not exceed such as are usually allowed in the courts of that country.

(b) Repayment of these charges and expenses shall be claimed by the competent authority by whom the service has been effected from the Consular Officer by whom the request was addressed when sending to him the certificate provided for in Article 3 (g).

(c) Except as provided above, no fees of any description shall be payable by one High Contracting Party to the other in respect of the service of any documents.

### III.—*Taking of Evidence*

#### ARTICLE 6

When a judicial authority in the territory of one of the High Contracting Parties requires that evidence should be taken in the territory of the other High Contracting Party, such evidence may be taken in the manner prescribed in Article 7. The taking of evidence includes the production, identification and examination of documents or exhibits.

#### ARTICLE 7

(a) The judicial authority by whom the evidence is required may, in accordance with the provisions of its law, address itself by means of "Letters of Request" to the competent authority of the country where the evidence is to be taken, requesting such authority to take the evidence.

(b) The "Letter of Request" shall be drawn up in the language of the country where the evidence is to be taken, or be accompanied by a translation in such language. Such translation shall be certified as correct by a Consular Officer of the High Contracting Party from whose judicial authority the request emanates. The "Letters of Request" shall state the nature of the proceedings for which the evidence is required, the full names and descriptions of the parties thereto, and the full names, addresses and descriptions of the witnesses. They shall also either be accompanied by a list of interrogatories to be put to the witness or witnesses and a translation thereof certified as correct in the manner heretofore provided, or shall contain instructions or information as to matters in relation to which evidence is required, or alternatively shall request the competent authority to allow such questions to be asked *vivâ voce* as the parties or their representatives shall desire to ask.

(c) The "Letters of Request" shall be transmitted—

In England by a Swedish Consular Officer to the Senior Master of the Supreme Court of Judicature.

In Sweden by a British Consular Officer to the Tribunal of First Instance in the jurisdiction of which the witnesses to be examined are resident.

In case the authority to whom "Letters of Request" are transmitted is not competent to execute them, such authority shall forward the "Letters of Request" without any further request to the competent authority of his own country.

(d) The competent authority to whom the "Letters of Request" are transmitted or forwarded shall give effect thereto and obtain the evidence required by the use of the same compulsory measures and the same procedure as are employed in the execution of a commission or order emanating from the authorities of his own country, except that, if a wish that some special procedure should be followed is expressed in the "Letters of Request," such special procedure shall be followed in so far as it is not incompatible with the law of the country where the evidence is to be taken.

(e) The Consular Officer, by whom the "Letters of Request" are transmitted, shall, if he so desires, be informed of the date and place where the proceedings will take place, in order that he may inform the interested party or parties, who shall be permitted to be present in person or to be represented if they so desire.

(f) The execution of the "Letters of Request" can only be refused—

(1) If the authenticity of the "Letters of Request" is not established.

(2) If in the country where the evidence is to be taken the execution of the "Letters of Request" in question does not fall within the functions of the judiciary.

(3) If the High Contracting Party in whose territory the evidence is to be taken considers that his sovereignty or safety would be compromised thereby.

(g) In every instance where the "Letters of Request" are not executed by the authority to whom they are addressed, the latter will at once inform the Consular Officer by whom they were transmitted, stating the grounds on which the execution of the "Letters of Request" has been refused, or the judicial authority to whom they have been forwarded.

## ARTICLE 8

(a) The provisions of Articles 6 and 7 in no way prejudice the right of taking evidence, required by a judicial authority in the territory of one High Contracting Party, in the territory of the other, without any request to or intervention of the authorities of the country where the evidence is to be taken, by a person qualified to do so according to the law of the country by whose court the evidence is required. Such person may be a Consular Officer of the High Contracting Party whose court requires the evidence or any other suitable person directly appointed for the purpose.

(b) It is understood that, where the method of taking evidence referred to in the preceding paragraph is employed, the procedure must be entirely voluntary and no measures of compulsion can be employed, and the admissibility of evidence so taken remains a matter for the determination of the respective courts of the High Contracting Parties in accordance with their law.



## ARTICLE 9

The fact that an attempt to take evidence by the method mentioned in Article 8 has failed owing to the refusal of any witness to appear, to give evidence, or to produce documents or exhibits does not preclude a request being subsequently made in accordance with Article 7.

## ARTICLE 10

(a) Where evidence is taken in the manner provided in Article 7, the High Contracting Party, by whose judicial authority the "Letters of Request" are addressed, shall repay to the other High Contracting Party any expenses incurred by the competent authority of the latter in the execution of the request in respect of any charges and expenses payable to witnesses, experts, interpreters, or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom such authority may have deputed to act in cases where the law of his own country permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed. These expenses shall be such as are usually allowed in similar cases in the courts of the country where the evidence has been taken.

(b) The repayment of these expenses shall be claimed by the competent authority, by whom the "Letters of Request" have been executed, from the Consular Officer, by whom they were transmitted, when sending to him the documents establishing their execution.

(c) Except as above provided no fees of any description shall be payable by one High Contracting Party to the other in respect of the taking of evidence.

#### IV.—*Judicial Assistance for Poor Persons, Imprisonment for Debt and Security for Costs*

## ARTICLE 11

The subjects of one High Contracting Party shall enjoy in the territory of the other High Contracting Party a perfect equality of treatment with subjects of that High Contracting Party as regards free judicial assistance for poor persons and imprisonment for debt; and provided that they are resident in any such territory, shall not be compelled to give security for costs in any case where a subject of such other High Contracting Party would not be so compelled.

#### V.—*General Provisions*

## ARTICLE 12

Any difficulties which may arise in connection with the operation of this Convention shall be settled through the diplomatic channel.

## ARTICLE 13.

The present Convention, of which the English and Swedish\* texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged in London. The Convention shall come into force one month after the date on which ratifications are exchanged and shall remain in force for three years after the date of its coming into force. If neither of the High Contracting Parties shall have given notice through the diplomatic channel to the other not less than six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

\*Not printed.

## ARTICLE 14.

(a) This Convention shall not apply *ipso facto* to Scotland or Northern Ireland, nor to any of His Britannic Majesty's Colonies or Protectorates, nor to any territories under his suzerainty, nor to any mandated territories administered by His Government in the United Kingdom of Great Britain and Northern Ireland, but His Britannic Majesty may at any time, while the Convention is in force under Article 13, by a notification given through his Minister at Stockholm, extend the operation of this Convention to any of the above-mentioned territories.

(b) Such notification shall state the authorities in the territory concerned to whom requests for service or for the taking of evidence are to be transmitted, and the language in which communications and translations are to be made. The date of the coming into force of any such extension shall be one month from the date of such notification.

(c) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph (a) of this Article, terminate such extension on giving six months' notice of termination through the diplomatic channel.

(d) The termination of the Convention under Article 13 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (a) of this Article.

## ARTICLE 15.

(a) His Britannic Majesty may at any time, while the present Convention is in force, either under Article 13 or by virtue of any accession under this Article, by a notification given through the diplomatic channel, accede to the present Convention in respect of any of His self-governing Dominions or India, provided that no notification of accession may be given at any time when His Majesty the King of Sweden has given notice of termination in respect of all the territories of His Britannic Majesty to which the Convention applies. The provisions of Article 14 (b) shall be applicable to such notification. Any such accession shall take effect one month after the date of its notification.

(b) After the expiry of three years from the date of the coming into force of any accession under paragraph (a) of this article, either of the High Contracting Parties may, by giving a six months' notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under Article 13 shall not affect its application to any such country.

(c) Any notification of accession under paragraph (a) of this Article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (b) shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention, in English and Swedish, and have affixed thereto their seals.

Done in duplicate at London, the 28th day of August, 1930.

(L.S.) ARTHUR HENDERSON

(L.S.) ERIC GYLLENSTIERNA

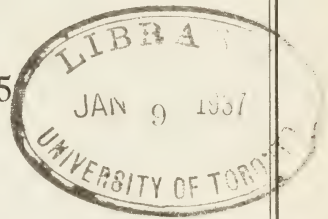
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Treaties

CANADA

TREATY SERIES, 1935

No. 14



NOTIFICATION EFFECTED BY AN  
EXCHANGE OF NOTES

(May 17, July 1 and 10, 1935)

EXTENDING TO CANADA AS FROM THE 1st AUGUST, 1935

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

HIS MAJESTY THE KING OF ITALY

REGARDING

LEGAL PROCEEDINGS IN CIVIL AND  
COMMERCIAL MATTERS

Signed at London, December 17, 1930

Ratifications exchanged at London, June 7, 1932

IN FORCE AUGUST 1, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
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1st AUGUST, 1935, THE CONVENTION BETWEEN HIS MAJESTY  
AND HIS MAJESTY THE KING OF ITALY REGARDING LEGAL  
PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS**

*From the Secretary of State for External Affairs of Canada to the Secretary  
of State for Dominion Affairs*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, May 17, 1935.

SIR,

I have the honour to invite your attention to the Civil Procedure Conventions which have been concluded with Spain, Sweden, Norway, Poland, Italy, Austria, Portugal, Turkey and Germany, all of which have been signed and duly ratified. I have the honour to state that His Majesty's Government in Canada desire that, in accordance with the stipulations therein contained, these Conventions shall be extended to Canada by notification to the representative Governments. Such extension might well come into force from the date of ratification, or from a fixed date. In the latter event, it would be most convenient if the date could be the same in respect to all of the Conventions, and I venture to suggest that the 1st of August of this year would be a satisfactory and, presumably, a practicable date. The question of dates will, of course, depend upon the circumstances but, if feasible, a uniform date would be preferable.

The authorities to whom judicial and extra-judicial Acts and Commissions Rogatoires are to be transmitted, will be, where action is to be taken in any province in Canada, the Attorney-General of such province; in the Northwest Territories, the Commissioner of the Northwest Territories; and in Yukon Territory, the Gold Commissioner of that territory. The language in which communications to such authorities and translations are to be made will be English, except in the province of Quebec, where they may be made either in English or in French. In order to insure due execution, Commissions Rogatoires should contain full and complete interrogatories.

I shall be obliged, therefore, if steps will be taken to make the necessary notifications to the representative Governments.

I have the honour to be,

Sir,

Your obedient servant,

O. D. SKELTON

*for the Secretary of State for External Affairs*

*From the British Ambassador at Rome to the Minister of Foreign Affairs  
of Italy*

BRITISH EMBASSY

ROME, July 1, 1935.

YOUR EXCELLENCY,

At the instance of His Majesty's Government in Canada, I have the honour to notify to Your Excellency, in accordance with Article 18(a) of the Convention regarding Legal Proceedings in Civil and Commercial Matters, which was signed at London on the 17th December, 1930, the accession of His Majesty to that Convention in respect of the Dominion of Canada. The attached list indicates the authority in the various provinces of Canada to whom judicial and extra-judicial documents and "Letters of Request" should be transmitted, and the language in which communications and translations are to be made.

In accordance with Article 18(a) of the Convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 1st August next.

In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication, I avail myself of this opportunity to renew to Your Excellency the expression of my highest consideration.

ERIC DRUMMOND

<i>Province or Territory</i>	<i>Authority</i>	<i>Language</i>
Ontario	Attorney-General	English
Quebec	Attorney-General	English or French
Nova Scotia	Attorney-General	English
Prince Edward Island	Attorney-General	English
New Brunswick	Attorney-General	English
British Columbia	Attorney-General	English
Manitoba	Attorney-General	English
Saskatchewan	Attorney-General	English
Alberta	Attorney-General	English
North West Territories	Commissioner of the Northwest Territories	English
Yukon Territory	The Gold Commissioner of the Yukon Territory	English

*From the Minister of Foreign Affairs of Italy to the British Ambassador at  
Rome*

ROME, July 10, 1935.

MONSIEUR L'AMBASSADEUR,

In your note No. 247 (163/9/35) of the 1st July, 1935, Your Excellency informed this Ministry that His Majesty's Government in Canada accede, with effect from the 1st August next, to the Italo-British Convention for Judicial Assistance in Civil and Commercial Matters, signed at London on the 17th December, 1930, in conformity with Article 18(a) of the said Convention.

Your Excellency annexed a statement of the Canadian authorities charged with receiving judicial documents and of the language to be used in communications and translations.

In acknowledging the receipt of these communications, which have already been brought to the knowledge of the competent Royal Authorities, I take the opportunity to renew to you, Monsieur l'Ambassadeur, the expression of my highest consideration.

SUVICH

# CONVENTION BETWEEN HIS MAJESTY, IN RESPECT OF THE UNITED KINGDOM, AND HIS MAJESTY THE KING OF ITALY REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Italy,

Being desirous to render mutual assistance in the conduct of legal proceedings, in their respective territories, in civil and commercial matters which are being dealt with by their respective judicial authorities,

Have resolved to conclude a Convention for this purpose and have appointed as their Plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

The Right Honourable Arthur Henderson, M.P., His Principal Secretary of State for Foreign Affairs;

His Majesty the King of Italy:

Monsieur Antonio Chiamonte Bordonaro, His Ambassador Extraordinary and Plenipotentiary in London;

Who having communicated their full powers, found in good and due form, have agreed as follows:—

## I.—*Preliminary*

### ARTICLE 1

This Convention applies only to civil and commercial matters.

## II.—*Service of Judicial and Extra-judicial Documents*

### ARTICLE 2

When judicial or extra-judicial documents drawn up in any of the territories (to which this Convention applies) of one of the High Contracting Parties are to be served on persons (including corporations) in any territory (to which this Convention applies) of the other, such documents may, at the option of the party interested, be served on the recipient in any of the ways provided in Articles 3 and 4.

### ARTICLE 3

(a) The request for service shall be transmitted:—

In Italy by a British consular officer to the Procuratore Generale presso la Corte d'Appello of the district in which the document is to be served;

In England by an Italian consular officer to the Senior Master of the Supreme Court of Judicature in England.

(b) The request, containing the name of the authority from which the document transmitted emanates, the names and descriptions of the parties, the address of the recipient, and the nature of the document in question, shall be drawn up in the language of the country in which the documents are to be served. The document to be served shall be drawn up in the language of the country in which it is to be served, or be accompanied by a translation in such language. The said translation shall be certified as correct by a diplomatic or consular agent of the High Contracting Party making the request, or by an official or sworn translator of one or other of the two countries concerned.



(c) Service shall be effected by the competent authority of the country where it is to be served, who shall serve the document in the manner prescribed by the municipal law of such country for the service of similar documents, or, should a wish to that effect be expressed in the request, in a special form which is not incompatible with such law. If the authority to whom a document has been transmitted is not competent to deal with it, such authority shall of its own motion transmit the document to the competent authority of its own country.

(d) The execution of the request for service can only be refused if the High Contracting Party in whose territory it is to be effected considers it such as to compromise his sovereignty or safety.

(e) The authority which receives the request shall send to the consular officer by whom it was transmitted the documents proving the service or explaining the reason which has prevented such service. Proof of service shall be furnished by a certificate from the authority of the country where service has been effected, setting forth the fact, the manner and the date of such service. The document to be served, and the translation, if any, shall be forwarded in duplicate, and the certificate shall appear on one of the copies, or be attached to it.

#### ARTICLE 4

The document to be served may also be served on the recipient, whatever his nationality, without the intervention of the authorities of the country in which service is to be effected:—

(a) By a diplomatic or consular officer of the High Contracting Party from whose territory the document emanates; or

(b) By an agent appointed by the judicial authority of the country from which the document emanates, or by the party on whose application the document was issued. In the case of documents to be served in Italy, such agent shall always be either a Notary Public or an Advocate, who shall employ for the act of service an official competent by Italian law for this purpose.

The document to be served shall be drawn up in the language of the country in which service is to be effected, or shall be accompanied by a translation in such language, unless the recipient is a subject of the High Contracting Party from whose territory the document emanates.

#### ARTICLE 5

The provisions of Articles 2, 3 and 4 shall not prevent the persons concerned from effecting service directly through the competent officials or officers of the country in which the document is to be served.

#### ARTICLE 6

No fees of any description shall be payable by one High Contracting Party to the other in respect of the service.

Nevertheless, in the case provided for in Article 3, the High Contracting Party making the request must pay to the other High Contracting Party any charges and expenses which are payable under the local law to the persons employed to effect service, and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall be calculated in accordance with the tariff in force in the country where the documents are served for subjects of the High Contracting Party applied to. Repayment of these charges and expenses shall be claimed by the competent authority from the consular officer by whom the request was transmitted when sending to him the certificate provided for in Article 3 (e).



## ARTICLE 7

Nothing in this Convention shall render illegal or inadmissible in territories of either High Contracting Party any mode of service which is not illegal under the law existing at the time of the service in the country in which it is to be effected.

III.—*Taking of Evidence*

## ARTICLE 8

When a judicial authority in any territory (to which this Convention applies) of one of the High Contracting Parties orders that evidence should be taken in any territory (to which this Convention applies) of the other High Contracting Party, such evidence may be taken in any one of the ways prescribed in Articles 9, 11 and 12.

## ARTICLE 9

(a) The judicial authority may, in accordance with the provisions of its law, address itself by means of "Letters of Request" to the competent authority of the other High Contracting Party, requesting such authority to take the evidence within its jurisdiction.

(b) The "Letters of Request" shall be drawn up in the language of the authority to whom the request is addressed, or be accompanied by a translation in such language certified as correct by a diplomatic or consular officer of the High Contracting Party making the request, or by an official or sworn translator of one of the two countries concerned.

(c) The "Letters of Request" shall be transmitted—

In England by an Italian consular officer to the Senior Master of the Supreme Court of Judicature in England;

In Italy by a British consular officer to the Procuratore Generale presso la Corte d'Appello of the district in which the "Letters of Request" are to be executed.

(d) It shall be incumbent upon the judicial authority to which the "Letters of Request" are addressed to give effect thereto by the use of the same compulsory measures as are employed in the execution of a commission or order emanating from the authorities of its own country.

(e) The consular officer, by whom the "Letters of Request" are transmitted, shall, if he so desires, be informed of the date and place where the proceedings will take place, in order that he may inform the interested party or parties who shall be permitted to be present in person or to be represented if they so desire.

(f) The execution of the "Letters of Request" can only be refused—

(1) If the authenticity of the "Letters of Request" is not established;

(2) If in the country where the evidence is to be taken the execution of the "Letters of Request" in question does not fall within the functions of the judiciary;

(3) If the High Contracting Party applied to considers that his sovereignty or safety would be compromised thereby.

(g) In case the authority to whom they are addressed is without jurisdiction, the "Letters of Request" shall be forwarded without any further request to the competent authority of the same country in accordance with the rules laid down by its law.

(h) In every instance where the "Letters of Request" are not executed by the authority to whom they are addressed, the latter will at once inform the consular officer by whom they were transmitted, stating the grounds on which the execution of the "Letters of Request" has been refused, or the judicial authority to whom they have been forwarded.

(i) The authority which executes the "Letters of Request" will apply, so far as the procedure to be followed is concerned, the law of its own country.

Nevertheless, an application by the authority making the request that some special procedure may be followed shall be acceded to, provided that such procedure is not incompatible with the law of the country where the evidence is to be taken.

#### ARTICLE 10

No fees of any description shall be payable by one High Contracting Party to the other in respect of the execution of "Letters of Request."

Nevertheless, the High Contracting Party making the request shall repay to the other High Contracting Party any charges and expenses payable to witnesses, experts, interpreters, or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom the competent judicial authority may have deputed to act in cases where its municipal law permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed.

The repayment of these charges and expenses may be claimed by the competent authority by whom the "Letters of Request" have been executed when sending to him the documents establishing their execution from the consular officer by whom they were transmitted. These charges and expenses shall be calculated in accordance with the tariff in force in the country where the request has been executed for subjects of such High Contracting Party so far as the same is applicable.

#### ARTICLE 11

(a) The evidence may also be taken, without the intervention of the authorities of the country in which it is to be taken, by a diplomatic or consular officer of the High Contracting Party for whose judicial authority the evidence is required, or by some other person named by such judicial authority.

(b) The agent appointed to take the evidence may request named individuals to appear as witnesses or to produce any document and can take all other kinds of evidence which are not contrary to the local law and shall have power to administer an oath, but he shall have no compulsory powers.

(c) Requests to appear issued by such agent shall, unless the recipient is a subject of the High Contracting Party for whose judicial authorities the evidence is required, be drawn up in the language of the country where the evidence is to be taken, or accompanied by a translation into such language.

(d) The evidence may be taken in accordance with the procedure laid down by the law of the country in which the evidence is to be used, and the parties will have the right to be present or to be represented by barristers or solicitors of that country or by any persons competent to appear before the tribunals of either of the countries concerned.

#### ARTICLE 12

(a) The competent court to whom "Letters of Request" are addressed may also be requested to appoint a person to take the evidence, and on being so requested may appoint such a person. Such person may be a consular officer of the High Contracting Party for whose judicial authority the evidence is required or any other person proposed by such judicial authority.

(b) In this case the court applied to shall take the necessary steps to secure the attendance of and giving of evidence by witnesses and other persons to be examined and the production of documents, making use, if necessary, of its compulsory powers.

(c) The person thus appointed shall have power to administer an oath, and any person giving false evidence before him shall be liable in the courts of the country where the evidence is taken to the penalties provided by the law of that country for perjury.

(d) The evidence shall be taken in accordance with the law of the country in which the evidence is to be used, provided such method is not contrary to the law of the country where the evidence is being taken, and the parties shall have the right to be present in person or be represented by barristers or solicitors of that country or by any persons who are competent to appear before the courts of either of the countries concerned.

#### ARTICLE 13

The fact that an attempt to take evidence by the method laid down in Article 11 has failed owing to the refusal of any witness to appear, to give evidence, or to produce documents does not preclude an application being subsequently made in accordance with Articles 9 or 12.

#### IV.—General Provisions

#### ARTICLE 14

Any difficulties which may arise in connection with the operation of this Convention shall be settled through the diplomatic channel.

#### ARTICLE 15

The present Convention of which the English and Italian\* texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged in London. The Convention shall come into force one month after the date on which ratifications are exchanged and shall remain in force for three years after the date of its coming into force. In case neither of the High Contracting Parties shall have given notice to the other six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

#### ARTICLE 16

(a) This Convention shall not apply *ipso facto* to Scotland or Northern Ireland, nor to any of His Britannic Majesty's Colonies or Protectorates, nor to any territories under his suzerainty nor to any mandated areas administered by his Government in the United Kingdom of Great Britain and Northern Ireland, but His Britannic Majesty may at any time, by a notification given through his Ambassador at Rome, extend the operation of this Convention to any of the above-mentioned territories.

(b) Such notification shall state the date on which the extension shall come into force, the authorities in the territory concerned to whom judicial and extra-judicial documents and "Letters of Request" are to be transmitted, and the language in which communications and translations are to be made. The date of the coming into force of any such extension shall not be less than one month from the date of such notification.

(c) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph (a) of this Article terminate such extension on giving six months' previous notice.

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\* Not printed.



## ARTICLE 17

(a) This Convention shall not apply *ipso facto* to any of the Colonies or Protectorates of the Kingdom of Italy, but his Majesty the King of Italy may at any time extend this Convention to any of such Colonies or Protectorates by a notification given through his Ambassador in London.

(b) The provisions of paragraph (b) of Article 16 shall apply to any such notification.

(c) The provisions of paragraph (c) of Article 16 shall apply to any Colonies or Protectorates of the Kingdom of Italy to whom this Convention has been extended.

## ARTICLE 18

(a) His Britannic Majesty may at any time, by a notification given through the diplomatic channel, accede to the present Convention in respect of any of His self-governing Dominions or India. The provisions of Article 16 (b) shall be applicable to such notification. Any such accession shall take effect one month after the date of its notification.

(b) After the expiry of three years from the date of the coming into force of any accession under paragraph (a) of this Article, either of the High Contracting Parties may, by giving six months' notice, terminate the application of the Convention to any country in respect of which such notification of accession has been given. The termination of the Convention under Article 16 shall not affect its application to any such country.

(c) Any notification of accession under paragraph (a) of this Article may include any dependency or mandated area administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination under paragraph (b) shall apply to any such dependency or mandated area which was included in the notification of accession in respect of the country to which such notice of termination applies.

In witness whereof the undersigned have signed the present Convention, in English and Italian texts, and have affixed thereto their seals.

Done in duplicate at London, the 17th day of December, 1930.

(L.S.) ARTHUR HENDERSON

(L.S.) A. C. BORDONARO

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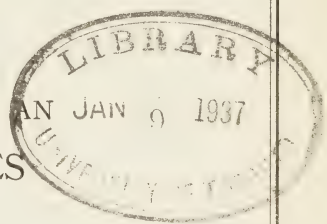
Treaties

CANADA

TREATY SERIES, 1935

No. 15

NOTIFICATION EFFECTED BY JAN JAN 9 1937



EXCHANGE OF NOTES

(May 17, July 1 and 20, 1935)

EXTENDING TO CANADA AS FROM THE 1st AUGUST, 1935

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

HIS MAJESTY THE KING OF NORWAY

REGARDING

LEGAL PROCEEDINGS IN CIVIL AND  
COMMERCIAL MATTERS

Signed at London January 30, 1931

Ratifications exchanged at London August 7, 1931

IN FORCE AUGUST 1, 1935



OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1936

Price, 25 cents





NOTIFICATION EFFECTED BY AN  
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OTTAWA  
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PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



**NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (MAY 17, JULY 1 AND 20, 1935) EXTENDING TO CANADA AS FROM THE 1st AUGUST, 1935, THE CONVENTION BETWEEN HIS MAJESTY AND HIS MAJESTY THE KING OF NORWAY REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS**

*From the Secretary of State for External Affairs of Canada to the Secretary of State for Dominion Affairs*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, May 17, 1935.

SIR,—I have the honour to invite your attention to the Civil Procedure Conventions which have been concluded with Spain, Sweden, Norway, Poland, Italy, Austria, Portugal, Turkey and Germany, all of which have been signed and duly ratified. I have the honour to state that His Majesty's Government in Canada desire that, in accordance with the stipulations therein contained, these Conventions shall be extended to Canada by notification to the representative Governments. Such extension might well come into force from the date of ratification, or from a fixed date. In the latter event, it would be most convenient if the date could be the same in respect to all of the Conventions, and I venture to suggest that the 1st August of this year would be a satisfactory and, presumably, a practicable date. The question of dates will, of course, depend upon the circumstances but, if feasible, a uniform date would be preferable.

The authorities to whom judicial and extra-judicial Acts and Commissions Rogatoires are to be transmitted, will be, where action is to be taken in any Province in Canada, the Attorney-General of such Province; in the North West Territories, the Commissioner of the North West Territories; and in Yukon Territory, the Gold Commissioner of that Territory. The language in which communications to such authorities and translations are to be made will be English, except in the Province of Quebec, where they may be made either in English or in French. In order to insure due execution, Commissions Rogatoires should contain full and complete interrogatories.

I shall be obliged, therefore, if steps will be taken to make the necessary notifications to the representative Governments.

I have the honour to be,  
Sir,  
Your obedient servant,

O. D. SKELTON  
*for the Secretary of State for  
External Affairs*

*From the British Minister at Oslo to the Minister of Foreign Affairs of Norway*

BRITISH LEGATION

OSLO, July 1, 1935.

YOUR EXCELLENCY,—At the instance of His Majesty's Government in Canada, I have the honour to notify to Your Excellency, in accordance with Article 15 (a) of the convention regarding legal proceedings in civil and commercial matters, which was signed at London on the 30th January, 1931, the accession of His Majesty to that convention in respect of the Dominion of Canada.

The attached list indicates the authority in the various Provinces of Canada to whom requests for service or for the taking of evidence should be transmitted, and the language in which communications and translations are to be made.

In accordance with Article 15 (a) of the Convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 1st August next.

In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication, I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

CECIL DORMER

<i>Province or Territory</i>	<i>Authority</i>	<i>Language</i>
Ontario	Attorney-General	English
Quebec	Attorney-General	English or French
Nova Scotia	Attorney-General	English
Prince Edward Island	Attorney-General	English
New Brunswick	Attorney-General	English
British Columbia	Attorney-General	English
Manitoba	Attorney-General	English
Saskatchewan	Attorney-General	English
Alberta	Attorney-General	English
North West Territories	Commissioner of the North West Territories	English
Yukon Territory	The Gold Commissioner of the Yukon Territory	English

*From the Minister of Foreign Affairs of Norway to the British Minister at Oslo*

ROYAL NORWEGIAN MINISTRY OF FOREIGN AFFAIRS

OSLO, July 20, 1935.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of your note No. 65 of the 1st instant, in which, in accordance with Article 15 (a) of the Civil Procedure Convention between Norway and Great Britain of January 30th, 1931, you state that that Convention is acceded to in respect of the Dominion of Canada, so that in accordance with Article 15 (a) the Convention enters into force as regards the Dominion in question on August 1st of this year.

I note that the English language is to be used in communications and translations which are sent to the various provinces and territories in the Dominion of Canada, with the exception of the Province of Quebec, in which case either English or French may be used. I further take note to which authority requests for service and for the taking of evidence are to be transmitted in each individual case.

Assured, Monsieur le Ministre, the assurance of my highest consideration.

AUG. ESMARCH



## CONVENTION BETWEEN HIS MAJESTY, IN RESPECT OF THE UNITED KINGDOM, AND HIS MAJESTY THE KING OF NORWAY REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Norway,

Being desirous to render mutual assistance in the conduct of legal proceedings, in their respective territories, in civil and commercial matters which are being dealt with or which may possibly be dealt with by their respective judicial authorities;

Have resolved to conclude a Convention for this purpose and have appointed as their plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

The Rt. Hon. Arthur Henderson, M.P., His Secretary of State for Foreign Affairs;

and His Majesty the King of Norway:

Monsieur Benjamin Vogt, His Envoy Extraordinary and Minister Plenipotentiary in London;

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

### I.—*Preliminary*

#### ARTICLE 1

(a) This Convention applies only to civil and commercial matters, including non-contentious matters.

(b) In this Convention the words “territory of one (or of the other) High Contracting Party” shall be interpreted as meaning at any time any of the territories of such High Contracting Party to which the Convention at that time applies.

### II.—*Service of Judicial and Extra-Judicial Documents*

#### ARTICLE 2

When judicial or extra-judicial documents drawn up in the territory of one of the High Contracting Parties are required to be served on persons, partnerships, companies, societies or other corporations in the territory of the other High Contracting Party, such documents may be served on the recipient, whatever his nationality, in the manner provided in Article 3.

#### ARTICLE 3

(a) A request for service shall be addressed by a Diplomatic or Consular Officer of the High Contracting Party from whose territory the documents to be served emanate, to the competent authority of the country where the documents are to be served, requesting such authority to cause the documents to be served. The request shall be sent by such Diplomatic or Consular Officer to such authority.

(b) The request for service shall be drawn up in the language of the country where service is to be effected.

The request for service shall state the full names and descriptions of the parties, the full names, address and description of the recipient, and the nature of the document to be served, and shall enclose the documents to be served in duplicate.

(c) The document to be served shall either be drawn up in the language of the country in which it is to be served, or be accompanied by a translation in such language. Such translation shall be certified as correct by a Diplomatic or Consular Officer of the High Contracting Party from whose territory the document emanates or by a sworn translator of one of the two countries concerned.

(d) Requests for service shall be addressed and sent:—

In Norway to the Tribunal of First Instance in the jurisdiction of which service is to be effected.

In England to the Senior Master of the Supreme Court of Judicature.

If the authority to whom a request for service has been sent is not competent to execute it, such authority shall of his own motion transmit the document to the competent authority of his own country.

(e) Service shall be effected by the competent authority of the country where the document is to be served, who shall serve the document in the manner prescribed by the municipal law of such country for the service of similar documents, except that, if a wish for some special manner of service is expressed in the request for service, such manner of service shall be followed in so far as it is not incompatible with the law of that country.

(f) The execution of the request for service duly made in accordance with the preceding provisions of this Article shall not be refused unless (1) the authenticity of the request for service is not established, or (2) the High Contracting Party in whose territory it is to be effected considers that his sovereignty or safety would be compromised thereby.

(g) The authority by whom the request for service is executed shall furnish a certificate proving the service or explaining the reason which has prevented such service, and setting forth the fact, the manner and the date of such service or attempted service, and shall send the said certificate to the Diplomatic or Consular Officer by whom the request for service was made. The certificate of service or of attempted service shall be placed on one of the duplicates or attached thereto.

#### ARTICLE 4

(a) The provisions of Articles 2 and 3 in no way prejudice the right to use in the territory of either High Contracting Party without any request to or intervention of the authorities of the country where service is effected, any of the following methods of service in connection with judicial or extra-judicial documents drawn up in the territory of the other High Contracting Party:—

(1) Service by a Diplomatic or Consular Officer of the High Contracting Party from whose territory the document emanates;

(2) Service by an agent appointed for the purpose, either by the judicial authority by whom service of the document is required or by the party on whose application the document was issued;

(3) Through the post;

(4) Any other mode of service recognized by the law existing at the time of service in the country from which the documents emanate.

(b) It is understood that the validity and effect of any such service will remain a matter for the determination of the respective courts of the High Contracting Parties in accordance with their law.

(c) The High Contracting Parties agree that in principle it is desirable that documents served by any of these methods should, unless the recipient is a subject of the High Contracting Party from whose territory the document to be served emanates, either be drawn up in the language of the country in which service is to be effected or accompanied by a translation into such language. Nevertheless, in the absence of any legislation in their respective territories making translations obligatory in such cases, the High Contracting Parties do not accept any obligation in this respect.

#### ARTICLE 5

(a) In any case where documents have been served in accordance with the provisions of Article 3, the High Contracting Party, by whose Diplomatic or Consular Officer the request for service is addressed, shall pay to the other High Contracting Party any charges and expenses which are payable under the law of the country where the service is effected to the persons employed to effect service, and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall not exceed such as are usually allowed in the courts of that country.

(b) Repayment of these charges and expenses shall be claimed by the competent authority by whom the service has been effected from the Diplomatic or Consular Officer by whom the request was addressed when sending to him the certificate provided for in Article 3 (g).

(c) Except as provided above, no fees of any description shall be payable by one High Contracting Party to the other in respect of the service of any documents.

### III.—*Taking of Evidence*

#### ARTICLE 6

When a judicial authority in the territory of one of the High Contracting Parties requires that evidence should be taken in the territory of the other High Contracting Party, such evidence may be taken in the manner prescribed in Article 7. The taking of evidence includes the production, identification and examination of documents.

#### ARTICLE 7

(a) The judicial authority by whom the evidence is required may, in accordance with the provisions of its law, address itself by means of "Letters of Request" to the competent authority of the country where the evidence is to be taken, requesting such authority to take the evidence.

(b) The "Letter of Request" shall be drawn up in the language of the country where the evidence is to be taken, or be accompanied by a translation in such language. Such translation shall be certified as correct by a Diplomatic or Consular Officer of the High Contracting Party from whose judicial authority the request emanates, or by a sworn translator of one of the two countries concerned. The "Letters of Request" shall state the nature of the proceedings for which the evidence is required, the full names of the parties thereto, and the full names, addresses and descriptions of the witnesses. They shall also either be accompanied by a list of interrogatories to be put to the witness or witnesses and a translation thereof certified as correct in the manner heretofore provided or shall contain full instructions or information as to the matters in relation to which evidence is required, or alternatively shall request the competent authority to allow such questions to be asked *vivâ voce* as the parties or their representatives shall desire to ask.



(c) The "Letters of Request" shall be transmitted—

In England by a Norwegian Diplomatic or Consular Officer to the Senior Master of the Supreme Court of Judicature.

In Norway by a British Diplomatic or Consular Officer to the Tribunal of First Instance in the jurisdiction of which the evidence is to be taken.

In case the authority to whom "Letters of Request" are transmitted is not competent to execute them, such authority shall forward the "Letters of Request" without any further request to the competent authority of his own country.

(d) The competent authority to whom the "Letters of Request" are transmitted or forwarded shall give effect thereto and obtain the evidence required by the use of the same compulsory measures and the same procedure as are employed in the execution of a commission or order emanating from the authorities of his own country, except that if a wish that some special procedure should be followed is expressed in the "Letters of Request" such special procedure shall be followed in so far as it is not incompatible with the law of the country where the evidence is to be taken.

(e) The Diplomatic or Consular Officer by whom the "Letters of Request" are transmitted, shall, if he so desires, be informed of the date and place where the proceedings will take place, in order that he may inform the interested party or parties who shall be permitted to be present in person or to be represented if they so desire.

(f) The execution of the "Letters of Request" can only be refused—

(1) If the authenticity of the "Letters of Request" is not established.

(2) If in the country where the evidence is to be taken the execution of the "Letters of Request" in question does not fall within the functions of the judiciary.

(3) If the High Contracting Party in whose territory the evidence is to be taken considers that his sovereignty or safety would be compromised thereby.

(g) In every instance where the "Letters of Request" are not executed by the authority to whom they are addressed, the latter will at once inform the Diplomatic or Consular Officer by whom they were transmitted, stating the grounds on which the execution of the "Letters of Request" has been refused, or the judicial authority to whom they have been forwarded.

## ARTICLE 8

(a) The provisions of Articles 6 or 7 in no way prejudice the right of taking evidence, required by a judicial authority in the territory of one High Contracting Party, in the territory of the other, without any request to or intervention of the authorities of the country where the evidence is taken, by a person qualified to do so according to the law of the country by whose court the evidence is required. Such person may be a Diplomatic or Consular Officer of the High Contracting Party whose court requires the evidence or any other suitable person directly appointed for the purpose.

(b) It is understood that where the method of taking evidence referred to in the preceding paragraph is employed, the procedure must be entirely voluntary and no measures of compulsion can be employed and the admissibility of evidence so taken remains a matter for the determination of the respective courts of the High Contracting Parties in accordance with their law.

## ARTICLE 9

The fact that an attempt to take evidence by the method mentioned in Article 8 has failed owing to the refusal of any witness to appear, to give evidence or to produce documents, does not preclude a request being subsequently made in accordance with Article 7.

## ARTICLE 10

(a) Where evidence is taken in the manner provided in Article 7 the High Contracting Party by whose judicial authority the "Letters of Request" are addressed shall repay to the other High Contracting Party any expenses incurred by the competent authority of the latter in the execution of the request in respect of any charges and expenses payable to witnesses, experts, interpreters, or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom such authority may have deputed to act in cases where the law of his own country permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed. These expenses shall be such as are usually allowed in similar cases in the courts of the country where the evidence has been taken.

(b) The repayment of these expenses shall be claimed by the competent authority by whom the "Letters of Request" have been executed from the Diplomatic or Consular Officer by whom they were transmitted when sending to him the documents establishing their execution.

(c) Except as above provided, no fees of any description shall be payable by one High Contracting Party to the other in respect of the taking of evidence.

#### IV.—*Judicial Assistance for Poor Persons, Imprisonment for Debt and Security for Costs*

## ARTICLE 11

The subjects of one High Contracting Party shall enjoy in the territory of the other High Contracting Party a perfect equality of treatment with subjects of that High Contracting Party as regards free judicial assistance for poor persons and imprisonment for debt; and provided that they are resident in any such territory, shall not be compelled to give security for costs in any case where a subject of such other High Contracting Party would not be so compelled.

#### V.—*General Provisions*

## ARTICLE 12

Any difficulties which may arise in connection with the operation of this Convention shall be settled through the Diplomatic channel.

## ARTICLE 13

The present Convention, of which the English and Norwegian\* texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged in London. The Convention shall come into force one month after the date on which ratifications are exchanged and shall remain in force for three years after the date of its coming into force. If neither of the High Contracting Parties shall have given notice through the diplomatic channel to the other not less than six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

\* Not printed.



## ARTICLE 14

(a) This Convention shall not apply *ipso facto* to Scotland or Northern Ireland, nor to any of His Britannic Majesty's Colonies or Protectorates, nor to any territories under his suzerainty, nor to any mandated territories administered by his Government in the United Kingdom of Great Britain and Northern Ireland, but his Britannic Majesty may at any time, while the Convention is in force, under Article 13, by a notification given through his Minister at Oslo, extend the operation of this Convention to any of the above-mentioned territories.

(b) Such notification shall state the authorities in the territory concerned to whom requests for service or for the taking of evidence are to be transmitted, and the language in which communications and translations are to be made. The date of the coming into force of any such extension shall be one month from the date of such notification.

(c) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph (a) of this Article, terminate such extension on giving six months' notice of termination through the diplomatic channel.

(d) The termination of the Convention under Article 13 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (a) of this Article.

## ARTICLE 15

(a) His Britannic Majesty may at any time, while the present Convention is in force, either under Article 13 or by virtue of any accession under this article, by a notification given through the diplomatic channel accede to the present Convention in respect of any of his self-governing Dominions or India, provided that no notification of accession may be given at any time when His Majesty the King of Norway has given notice of termination in respect of all the territories of His Britannic Majesty to which the Convention applies. The provisions of Article 14 (b) shall be applicable to such notification. Any such accession shall take effect one month after the date of its notification.

(b) After the expiry of three years from the date of the coming into force of any accession under paragraph (a) of this Article, either of the High Contracting Parties may, by giving a six months' notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under Article 13 shall not affect its application to any such country.

(c) Any notification of accession under paragraph (a) of this Article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (b) shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention, in English and Norwegian, and have affixed thereto their seals.

Done in duplicate at London, the 30th day of January, 1931.

(L.S.) ARTHUR HENDERSON  
(L.S.) B. VOGT

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Treaties

CANADA

TREATY SERIES, 1935

No. 16

NOTIFICATION EFFECTED BY AN

EXCHANGE OF NOTES

(May 17, July 1 and 3, 1935)

EXTENDING TO CANADA AS FROM THE 1st AUGUST, 1935

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

THE FEDERAL PRESIDENT OF THE  
REPUBLIC OF AUSTRIA

REGARDING

LEGAL PROCEEDINGS IN CIVIL AND  
COMMERCIAL MATTERS

Signed at London March 31, 1931  
Ratifications exchanged at Vienna January 12, 1932

IN FORCE AUGUST 1, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936

Price, 25 cents





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**NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (MAY 17,  
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1st AUGUST, 1935, THE CONVENTION BETWEEN HIS MAJESTY  
AND THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA  
REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL  
MATTERS**

*From the Secretary of State for External Affairs of Canada to the Secretary  
of State for Dominion Affairs*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, May 17, 1935.

SIR,

I have the honour to invite your attention to the Civil Procedure Conventions which have been concluded with Spain, Sweden, Norway, Poland, Italy, Austria, Portugal, Turkey and Germany, all of which have been signed and duly ratified. I have the honour to state that His Majesty's Government in Canada desire that, in accordance with the stipulations therein contained, these Conventions shall be extended to Canada by notification to the representative Governments. Such extension might well come into force from the date of ratification, or from a fixed date. In the latter event, it would be most convenient if the date could be the same in respect to all of the Conventions, and I venture to suggest that the 1st of August of this year would be a satisfactory and, presumably, a practicable date. The question of dates will, of course, depend upon the circumstances but, if feasible, a uniform date would be preferable.

The authorities to whom judicial and extrajudicial Acts and Commissions Rogatoires are to be transmitted, will be, where action is to be taken in any Province in Canada, the Attorney-General of such Province; in the North West Territories, the Commissioner of the North West Territories; and in Yukon Territory, the Gold Commissioner of that territory. The language in which communications to such authorities and translations are to be made will be English, except in the Province of Quebec, where they may be made either in English or in French. In order to insure due execution, Commissions Rogatoires should contain full and complete interrogatories.

I shall be obliged, therefore, if steps will be taken to make the necessary notifications to the representative Governments.

I have the honour to be,

Sir,

Your obedient servant,

O. D. SKELTON

*for the Secretary of State for  
External Affairs*

*From His Majesty's Minister in Austria to the Minister for Foreign  
Affairs of Austria*

BRITISH LEGATION

VIENNA, July 1, 1935.

YOUR EXCELLENCY,

At the instance of His Majesty's Government in Canada I have the honour to notify to Your Excellency, in accordance with Article 15 (a) of the convention regarding legal proceedings in civil and commercial matters, which was signed at London on the 31st March, 1931, the accession of His Majesty to that convention in respect of the Dominion of Canada.

The attached list indicates the authority in the various Provinces of Canada to whom requests for service or for the taking of evidence should be transmitted, and the language in which communications and translations are to be made.

In accordance with Article 15 (a) of the convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 1st August next.

In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication,

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

W. SELBY

<i>Province or Territory</i>	<i>Authority</i>	<i>Language</i>
Ontario	Attorney-General	English
Quebec	Attorney-General	English or French
Nova Scotia	Attorney-General	English
Prince Edward Island	Attorney-General	English
New Brunswick	Attorney-General	English
British Columbia	Attorney-General	English
Manitoba	Attorney-General	English
Saskatchewan	Attorney-General	English
Alberta	Attorney-General	English
North West Territories	Commissioner of the North West Territories	English
Yukon Territory	The Gold Commissioner of the Yukon Territory	English

*From the Federal Chancery, Department for Foreign Affairs to His  
Majesty's Legation, Vienna*

VIENNA, July 3, 1935.

The Federal Chancery, Department for Foreign Affairs, has the honour to acknowledge the receipt of the esteemed Note Verbale No. 86 (156/7/35) of July 1st, 1935, from His Majesty's Legation, by which notification is made of the accession of Canada to the Anglo-Austrian Civil Procedure Convention of March 31st, 1935.

**CONVENTION BETWEEN HIS MAJESTY, IN RESPECT OF THE UNITED  
KINGDOM, AND THE FEDERAL PRESIDENT OF THE REPUBLIC  
OF AUSTRIA, REGARDING LEGAL PROCEEDINGS IN CIVIL AND  
COMMERCIAL MATTERS**

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and

The Federal President of the Republic of Austria:

Being desirous to render mutual assistance in the conduct of legal proceedings, in their respective territories, in civil and commercial matters which are being dealt with or which it is anticipated may be dealt with by their respective judicial authorities, have resolved to conclude a Convention for this purpose and have appointed as their Plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

The Right Honourable Arthur Henderson, M.P., His Majesty's Principal Secretary of State for Foreign Affairs;

and

The Federal President of the Republic of Austria:

Herrn Georg Franckenstein, His Envoy Extraordinary and Minister Plenipotentiary in London;

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

*I.—Preliminary*

**ARTICLE 1**

(a) This Convention applies only to civil and commercial matters, including non-contentious matters.

(b) In this Convention the words:—

(1) "territory of one (or of the other) High Contracting Party" shall be interpreted as meaning at any time any of the territories of such High Contracting Party to which the Convention at that time applies;

(2) "subject of one (or of the other) High Contracting Party" shall in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India mean all subjects of His Majesty wherever domiciled.

*II.—Service of Judicial and Extra-Judicial Documents*

**ARTICLE 2**

When judicial or extra-judicial documents drawn up in the territory of one of the High Contracting Parties are required by a judicial authority situated therein to be served on persons, partnerships, companies, societies or other corporations in the territory of the other High Contracting Party, such documents may be served on the recipient, whatever his nationality, in any of the ways provided in Articles 3 and 4.

## ARTICLE 3

(a) A request for service shall be addressed by a Diplomatic or Consular Officer of the High Contracting Party from whose territory the documents to be served emanate, to the competent authority of the country where the documents are to be served, requesting such authority to cause the documents to be served. The request shall be sent by such Diplomatic or Consular Officer to such authority.

(b) The request for service shall be drawn up in the language of the country where service is to be effected.

The request for service shall state the names and descriptions of the parties, the name, description and address of the recipient, and the nature of the document to be served, and shall enclose the documents to be served in duplicate.

(c) The document to be served shall either be drawn up in the language of the country in which it is to be served, or be accompanied by a translation in such language. Such translation shall be certified as correct by a Diplomatic or Consular Officer of the High Contracting Party from whose territory the document emanates.

(d) Requests for service shall be addressed and sent—

In England, to the Senior Master of the Supreme Court of Judicature.

In Austria, to the Federal Ministry of Justice.

If the authority to whom a request for service has been sent is not competent to execute it, such authority shall of his own motion transmit the document to the competent authority of his own country.

(e) Service shall be effected by the competent authority of the country where the document is to be served, who shall serve the document in the manner prescribed by the municipal law of such country for the service of similar documents, except that, if a wish for some special manner of service is expressed in the request for service, such manner of service shall be followed in so far as it is not incompatible with the law of that country.

(f) The execution of the request for service duly made in accordance with the preceding provisions of this Article shall not be refused unless (1) the authenticity of the request for service is not established, or (2) the High Contracting Party in whose territory it is to be effected considers that his sovereignty or safety would be compromised thereby.

(g) The authority by whom the request for service is executed shall furnish a certificate proving the service or explaining the reason which has prevented such service, and setting forth the fact, the manner and the date of such service or attempted service, and shall send the said certificate to the Diplomatic or Consular Officer by whom the request for service was made. The certificate of service or of attempted service shall be placed on one of the duplicates or attached thereto.

## ARTICLE 4

(a) Any of the following methods of service may be used in the territory of either High Contracting Party, without any request to or intervention of the authorities of the country where service is to be effected in connection with judicial or extra-judicial documents drawn up in the territory of the other High Contracting Party:—

(1) Service by a Diplomatic or Consular Officer of the High Contracting Party from whose territory the document emanates;

(2) Service by an agent appointed for the purpose either by the judicial authority by whom service of the document is required, or by the party on whose application the document was issued;

(3) Service through the postal channel;



(4) Any other mode of service recognized by the law existing at the time of service in the country from which the documents emanate.

(b) It is understood,

(1) that in none of the methods of service provided for in this article shall any measures of compulsion be employed;

(2) that the validity and effect of any such service will remain a matter for the determination of the respective courts of the High Contracting Parties in accordance with their law.

(c) The High Contracting Parties agree that in principle it is desirable that documents served by any of these methods should, unless the recipient is a subject of the High Contracting Party from whose territory the document to be served emanates, either be drawn up in the language of the country in which service is to be effected or accompanied by a translation into such language. Nevertheless, in the absence of any legislation in their respective territories making translations obligatory in such cases, the High Contracting Parties do not accept any obligation in this respect.

#### ARTICLE 5

(a) In any case where documents have been served in accordance with the provisions of Article 3, the High Contracting Party, by whose Diplomatic or Consular Officer the request for service is addressed, shall pay to the other High Contracting Party any charges and expenses which are payable under the law of the country where the service is effected to the persons employed to effect service, and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall not exceed such as are usually allowed in the courts of that country.

(b) Repayment of these charges and expenses shall be claimed by the competent authority by whom the service has been effected from the Diplomatic or Consular Officer by whom the request was addressed when sending to him the certificate provided for in Article 3 (g).

(c) Except as provided above, no fees of any description shall be payable by one High Contracting Party to the other in respect of the service of any documents.

### III.—*Taking of Evidence*

#### ARTICLE 6

When a judicial authority in the territory of one of the High Contracting Parties requires that evidence should be taken in the territory of the other High Contracting Party, such evidence may be taken, whatever the nationality of the parties, in anyone of the ways prescribed in Articles 7 and 8.

#### ARTICLE 7

(a) The judicial authority by whom the evidence is required may, in accordance with the provisions of its law, address itself by means of "Letters of Request" to the competent authority of the country where the evidence is to be taken, requesting such authority to take the evidence.

(b) The "Letter of Request" shall be drawn up in the language of the country where the evidence is to be taken, or be accompanied by a translation in such language. Such translation shall be certified as correct by a Diplomatic or Consular Officer of the High Contracting Party from whose judicial authority the request emanates. The "Letters of Request" shall state the nature of the proceedings for which the evidence is required, the names and descriptions of the parties thereto, and the names, descriptions and addresses



of the witnesses. They shall also either be accompanied by a list of interrogatories to be put to the witness or witnesses, or, as the case may be, by a description of the documents, samples or other objects to be produced and identified, and a translation thereof certified as correct in the manner heretofore provided or shall request the competent authority to allow such questions to be asked *vivâ voce* as the parties or their representatives shall desire to ask.

(c) The "Letters of Request" shall be transmitted:—

In England by an Austrian Diplomatic or Consular Officer to the Senior Master of the Supreme Court of Judicature.

In Austria by a British Consular Officer to the Federal Ministry of Justice.

In case the authority to whom "Letters of Request" are transmitted is not competent to execute them, he shall forward them without any further request to the competent authority of his own country.

(d) The competent authority to whom the "Letters of Request" are transmitted or forwarded shall give effect thereto and obtain the evidence required by the use of the same compulsory measures and the same procedure as are employed in the execution of a commission or order emanating from the authorities of his own country except that, if a wish that some special procedure should be followed is expressed in the "Letters of Request," such special procedure shall be followed in so far as it is not incompatible with the law of the country where the evidence is to be taken.

(e) The Diplomatic or Consular Officer, by whom the "Letters of Request" are transmitted, shall, if he so desires, be informed of the date and place where the proceedings will take place, in order that he may inform the interested party or parties, who shall be permitted to be present in person or to be represented if they so desire by any persons competent to appear before the courts of either of the countries concerned.

(f) The execution of the "Letters of Request" can only be refused—

(1) If the authenticity of the "Letters of Request" is not established;

(2) if in the country where the evidence is to be taken the execution of the "Letters of Request" in question does not fall within the functions of the judiciary;

(3) if the High Contracting Party in whose territory the evidence is to be taken considers that his sovereignty or safety would be compromised thereby.

(g) In every instance where the "Letters of Request" are not executed by the authority to whom they are addressed, the latter will at once inform the Diplomatic or Consular Officer by whom they were transmitted, stating the grounds on which the execution of the "Letters of Request" has been refused, or the judicial authority to whom they have been forwarded.

## ARTICLE 8

(a) The evidence may also be taken, without any request to or intervention of the authorities of the country in which it is to be taken, by a person in that country directly appointed for the purpose by the court by whom the evidence is required. A Diplomatic or Consular Officer of the High Contracting Party whose court requires the evidence or any other suitable person may be so appointed.

(b) A person so appointed to take evidence may request the individuals named by the court appointing him to appear before him and give evidence, or to produce any document, sample or other object. He may take all kinds of evidence which are not contrary to the law of the country where the evidence is being taken and shall have power to administer an oath, but he shall have

no compulsory powers. False testimony given before a person appointed to take evidence in accordance with this article shall be punishable in the courts of the country for which the evidence is required in the same manner as if such testimony had been given before a court of such country.

(c) Requests to appear issued by such person shall, unless the recipient is a subject of the High Contracting Party for whose judicial authority the evidence is required, be drawn up in the language of the country where the evidence is to be taken, or be accompanied by a translation into such language.

(d) The evidence may be taken in accordance with the procedure recognized by the law of the country for whose judicial authority the evidence is required, and the parties will have the right to be present or to be represented by any persons competent to appear before the courts of either of the countries concerned.

#### ARTICLE 9

The fact that an attempt to take evidence by the method laid down in Article 8 has failed, owing to the refusal of any witness to appear, to give evidence or to produce documents, samples or other objects, does not preclude a request being subsequently made in accordance with Article 7.

#### ARTICLE 10

(a) Where evidence is taken in the manner provided in Article 7, the High Contracting Party by whose judicial authority the "Letters of Request" are addressed shall repay to the other High Contracting Party any expenses incurred by the competent authority of the latter in the execution of the request in respect of any charges and expenses payable to witnesses, experts, interpreters or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom such authority may have deputed to act in cases where the law of his own country permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed. These expenses shall be such as are usually allowed in similar cases in the courts of the country where the evidence has been taken.

(b) The repayment of these expenses shall be claimed by the competent authority by whom the "Letters of Request" have been executed from the Diplomatic or Consular Officer by whom they were transmitted when sending to him the documents establishing their execution.

(c) Except as above provided, no fees of any description shall be payable by one High Contracting Party to the other in respect of the taking of evidence.

#### IV.—*Judicial Assistance for Poor Persons; Imprisonment for Debt and Security Costs*

#### ARTICLE 11

The subjects of one High Contracting Party shall enjoy in the territory of the other High Contracting Party a perfect equality of treatment with subjects of that High Contracting Party as regards free judicial assistance for poor persons and imprisonment for debt; and, provided that they are resident in any such territory, shall not be compelled to give security for costs in any case where a subject of such other High Contracting Party would not be so compelled.

## V.—General Provisions

## ARTICLE 12

Any difficulties which may arise in connection with the operation of this Convention shall be settled through the diplomatic channel.

## ARTICLE 13

The present Convention of which the English and German\* texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged in Vienna. The Convention shall come into force one month after the date on which ratifications are exchanged and shall remain in force for three years after the date of its coming into force. If neither of the High Contracting Parties shall have given notice through the diplomatic channel to the other not less than six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

## ARTICLE 14

(a) This Convention shall not apply *ipso facto* to Scotland or Northern Ireland, nor to any of the Colonies or Protectorates of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, nor to any territories under His suzerainty, nor to any mandated territories administered by His Government in the United Kingdom, but His Majesty may at any time, while the Convention is in force under Article 13, by a notification given through His Minister at Vienna extend the operation of this Convention to any of the above-mentioned territories.

(b) Such notification shall state the authorities in the territory concerned to whom requests for service or for the taking of evidence are to be transmitted, and the language in which communications and translations are to be made. The date of the coming into force of any such extension shall be one month from the date of such notification.

(c) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph (a) of this Article, terminate such extension on giving six months' notice of termination through the diplomatic channel.

(d) The termination of the Convention under Article 13 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (a) of this Article.

## ARTICLE 15

(a) The High Contracting Parties agree that His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, may at any time, while the present Convention is in force either under Article 13 or by virtue of any accession under this Article, by a notification given through the diplomatic channel, accede to the present Convention in respect of any Member of the British Commonwealth of Nations, whose Government may desire that such accession should be effected, provided that no notification of accession may be given at any time when the Federal President of the Republic of Austria has given notice of termination in respect of all the territories of His

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\*Not printed.

Majesty to which the Convention applies. The provisions of Article 14 (b) shall be applicable to any such notification. Any such accession shall take effect one month from the date of its notification.

(b) After the expiry of three years from the date of the coming into force of any accession under paragraph (a) of this Article either of the High Contracting Parties may, by giving a six months' notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under Article 13 shall not affect its application to any such country.

(c) Any notification of accession under paragraph (a) of this Article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (b) shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention, in English and German texts, and have affixed thereto their seals.

Done in duplicate at London on the 31st day of March, 1931.

(L.S.)      ARTHUR HENDERSON

(L.S.)      G. FRANCKENSTEIN



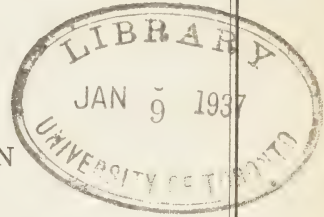


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Misc

Treaties

CANADA

TREATY SERIES, 1935  
No. 17



NOTIFICATION EFFECTED BY AN

EXCHANGE OF NOTES

(May 17, July 1 and 16, 1935)

EXTENDING TO CANADA AS FROM THE 1st AUGUST, 1935

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

THE PRESIDENT OF THE PORTUGUESE  
REPUBLIC

REGARDING

LEGAL PROCEEDINGS IN CIVIL AND  
COMMERCIAL MATTERS

Signed at London July 9, 1931  
Ratifications exchanged at Lisbon April 13, 1932

IN FORCE AUGUST 1, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



NOTIFICATION EFFECTED BY AN  
EXCHANGE OF NOTES  
(May 17, July 1 and 16, 1935)  
EXTENDING TO CANADA AS FROM THE 1st AUGUST, 1935  
THE CONVENTION  
BETWEEN  
HIS MAJESTY  
AND  
THE PRESIDENT OF THE PORTUGUESE  
REPUBLIC  
REGARDING  
LEGAL PROCEEDINGS IN CIVIL AND  
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Signed at London July 9, 1931  
Ratifications exchanged at Lisbon April 13, 1932

IN FORCE AUGUST 1, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



**NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (MAY 17,  
JULY 1 AND 16, 1935) EXTENDING TO CANADA AS FROM THE  
1st AUGUST, 1935, THE CONVENTION BETWEEN HIS MAJESTY  
AND THE PRESIDENT OF THE PORTUGUESE REPUBLIC REGARD-  
ING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS**

*From the Secretary of State for External Affairs of Canada to the Secretary of  
State for Dominion Affairs.*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, May 17, 1935.

SIR,—

I have the honour to invite your attention to the Civil Procedure Conventions which have been concluded with Spain, Sweden, Norway, Poland, Italy, Austria, Portugal, Turkey and Germany, all of which have been signed and duly ratified. I have the honour to state that His Majesty's Government in Canada desire that, in accordance with the stipulations therein contained, these Conventions shall be extended to Canada by notification to the representative Governments. Such extension might well come into force from the date of ratification, or from a fixed date. In the latter event, it would be most convenient if the date could be the same in respect to all of the Conventions, and I venture to suggest that the 1st August of this year would be a satisfactory and, presumably, a practicable date. The question of dates will, of course, depend upon the circumstances but, if feasible, a uniform date would be preferable.

The authorities to whom judicial and extra-judicial Acts and Commissions Rogatoires are to be transmitted, will be, where action is to be taken in any Province in Canada, the Attorney-General of such Province; in the North West Territories, the Commissioner of the North West Territories; and in Yukon Territory, the Gold Commissioner of that Territory. The language in which communications to such authorities and translations are to be made will be English, except in the Province of Quebec, where they may be made either in English or in French. In order to insure due execution, Commissions Rogatoires should contain full and complete interrogatories.

I shall be obliged, therefore, if steps will be taken to make the necessary notifications to the representative Governments.

I have the honour to be,

Sir,

Your obedient servant,

O. D. SKELTON

*for the Secretary of State for External Affairs.*



*From the British Ambassador at Lisbon to the Minister for Foreign Affairs of Portugal.*

BRITISH EMBASSY

LISBON, July 1, 1935.

MONSIEUR LE MINISTRE,

At the instance of His Majesty's Government in Canada I have the honour to notify Your Excellency, in accordance with Article 16 (a) of the Convention regarding legal proceedings in civil and commercial matters, which was signed at London on the 9th July, 1931, the accession of His Majesty to that convention in respect of the Dominion of Canada.

The attached list indicates the authority in the various Provinces of Canada to whom request for service or for the taking of evidence should be transmitted, and the language in which communications and translations are to be made.

In accordance with Article 16 (a) of the convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 1st August next.

In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication, I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

CLAUD RUSSELL

<i>Province or Territory</i>	<i>Authority</i>	<i>Language</i>
Ontario	Attorney General	English
Quebec	Attorney General	English or French
Nova Scotia	Attorney General	English
Prince Edward Island	Attorney General	English
New Brunswick	Attorney General	English
British Columbia	Attorney General	English
Manitoba	Attorney General	English
Saskatchewan	Attorney General	English
Alberta	Attorney General	English
North West Territories	Commissioner of the North West Territories	English
Yukon Territory	The Gold Commissioner of the Yukon Territory	English

*From the Minister of Foreign Affairs of Portugal to the British Ambassador at Lisbon*

MINISTRY OF FOREIGN AFFAIRS

LISBON, July 16, 1935.

M. L'AMBASSADEUR,

I have the honour to acknowledge the receipt of Your Excellency's note No. 111 (149/6) of the 1st instant in which you were good enough to inform me, in accordance with the terms of Article 16 (a) of the Convention regarding proceedings in civil and commercial matters signed in London on the 9th July, 1931, of the accession of His Britannic Majesty to that Convention in respect of the Dominion of Canada.

In informing Your Excellency that the competent authorities have taken due note of this communication, I avail myself of the opportunity to renew to Your Excellency the assurances of my highest consideration.

ARMINDO MONTEIRO

**CONVENTION BETWEEN HIS MAJESTY, IN RESPECT OF THE UNITED  
KINGDOM, AND THE PRESIDENT OF THE PORTUGUESE  
REPUBLIC REGARDING LEGAL PROCEEDINGS IN CIVIL AND  
COMMERCIAL MATTERS**

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and the President of the Portuguese Republic,

Being desirous to render mutual assistance in the conduct of legal proceedings, in their respective territories, in civil and commercial matters which are being dealt with or which it is anticipated may be dealt with by their respective judicial authorities;

Have resolved to conclude a Convention for this purpose and have appointed as their Plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland,

The Right Honourable Arthur Henderson, M.P., His Majesty's Principal Secretary of State for Foreign Affairs; and

The President of the Portuguese Republic:

His Excellency General Thomas Antonio Garcia Rosado, Ambassador Extraordinary and Plenipotentiary of the Portuguese Republic in London;

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

*I.—Preliminary*

ARTICLE 1

(a) This Convention applies only to civil and commercial matters, including non-contentious matters.

(b) In this Convention the words—

(1) "Territory of one (or of the other) High Contracting Party" shall be interpreted as meaning at any time any of the territories of such High Contracting Party to which the Convention at that time applies;

(2) "Persons" shall be deemed to mean individuals and moral persons;

(3) "Moral Persons" shall be deemed to mean partnerships, companies, societies and other corporations;

(4) "Subjects or citizens of a High Contracting Party" shall be deemed to include "moral persons" constituted and incorporated in accordance with the laws of the territory of such High Contracting Party;

(5) "A subject of one (or of the other) High Contracting Party" shall in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India be deemed to mean all subjects of His Majesty wherever domiciled.

## II.—*Service of Judicial and Extra-Judicial Documents*

### ARTICLE 2

When judicial or extra-judicial documents drawn up in the territory of one of the High Contracting Parties are required by a judicial authority situated therein to be served on persons in the territory of the other High Contracting Party, such documents may be served on the recipient, whatever his nationality, in the manner provided in Article 3.

### ARTICLE 3

(a) A request for service shall be addressed by a Consular Officer of the High Contracting Party from whose territory the document to be served emanates to the competent authority of the country where the document is to be served, requesting such authority to cause the document to be served. The request shall be sent by such Consular Officer to such authority.

(b) The request for service shall be drawn up in the language of the country where service is to be effected. The request for service shall state the names and descriptions of the parties, the name, description and address of the recipient, and the nature of the document to be served, and shall enclose the document to be served in duplicate.

(c) The document to be served shall either be drawn up in the language of the country in which it is to be served, or be accompanied by a translation in such language. Such translation shall be certified as correct by a Consular Officer of the High Contracting Party from whose territory the document emanates.

(d) Requests for service shall be addressed and sent:

In Portugal to the President of the Court of Appeal in the district of which the document is to be served;

In England to the Senior Master of the Supreme Court of Judicature.

If the authority to whom a request for service has been sent is not competent to execute it, such authority shall of his own motion transmit the document to the competent authority of his own country.

(e) Service shall be effected by the competent authority of the country where the document is to be served, who shall serve the document in the manner prescribed by the municipal law of such country for the service of similar documents, except that, if a wish for some special manner of service is expressed in the request for service, such manner of service shall be followed in so far as it is not incompatible with the law of that country.

(f) The execution of the request for service duly made in accordance with the preceding provisions of this Article shall not be refused unless:

(1) The authenticity of the request for service is not established; or

(2) The High Contracting Party in whose territory it is to be effected considers that his sovereignty or safety would be compromised thereby.

(g) The authority by whom the request for service is executed shall furnish a certificate proving the service or explaining the reason which has prevented such service, and setting forth the fact, the manner and the date of such service or attempted service, and shall send the said certificate to the Consular Officer by whom the request for service was made. The certificate of service or of attempted service shall be placed on one of the duplicates or attached thereto.

## ARTICLE 4

(a) The provisions of Articles 2 and 3 in no way prejudice the right to use in the territory of either High Contracting Party, without any request to or intervention of the authorities of the country where service is to be effected, any of the following methods of service in connection with judicial or extra-judicial documents drawn up in the territory of the other High Contracting Party:—

(1) Service by a Consular Officer of the High Contracting Party from whose territory the document emanates;

(2) Service by an agent appointed for the purpose either by the judicial authority by whom service of the document is required or by the party on whose application the document was issued;

(3) Service by registered post, with notice of receipt;

(4) Service by any other method which is not illegal under the law existing at the time of service in the country where it is to be effected.

(b) The methods of service referred to in (1) and (2) of paragraph (a) of this Article may not be used for service on persons, who are subjects or citizens of the High Contracting Party, in whose territory the documents are to be served, unless such persons are willing to accept service; and, when these methods of service are employed, the documents to be served shall, unless the recipient is a subject or citizen of the High Contracting Party from whose territory the document to be served emanates, either be drawn up in the language of the country in which service is to be effected or accompanied by a translation into such language certified as correct as prescribed in Article 3 (c).

(c) It is understood that the validity of any service effected by the use of any of the methods referred to in paragraph (a) of this Article will remain a matter for the determination of the respective Courts of the High Contracting Parties in accordance with their law.

## ARTICLE 5

(a) In any case where documents have been served in accordance with the provisions of Article 3, the High Contracting Party, by whose Consular Officer the request for service was addressed, shall pay to the other High Contracting Party any charges and expenses which are payable under the law of the country where the service is effected to the persons employed to effect service, and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall not exceed such as are usually allowed in the Courts of that country.

(b) Repayment of these charges and expenses shall be claimed by the competent authority by whom the service has been effected from the Consular Officer by whom the request was addressed when sending to him the certificate provided for in Article 3 (g).

(c) Except as provided above, no fees of any description shall be payable by one High Contracting Party to the other in respect of the service of any documents.

III.—*Taking of Evidence*

## ARTICLE 6

(a) When a judicial authority in the territory of one of the High Contracting Parties requires that evidence should be taken in the territory of the other High Contracting Party, such evidence may be taken in any of the ways prescribed in Articles 7 and 8.



(b) for the purposes of the present convention the words—

(1) “Taking of evidence” shall be deemed to include the taking of the statements of a Plaintiff or Defendant, on oath or otherwise, the submission to a Plaintiff, Defendant, expert or any other person of any oath with regard to any legal proceedings and the production, identification and examination of documents, samples or other objects;

(2) “Witness” includes any person (whether Plaintiff, Defendant, expert or other person) from whom any evidence as defined above is required to be taken.

#### ARTICLE 7

(a) The judicial authority by whom the evidence is required may, in accordance with the provisions of his law, address himself by means of “Letters of Request” to the competent authority of the country where the evidence is to be taken, requesting such authority to take the evidence.

(b) The “Letter of Request” shall be drawn up in the language of the country where the evidence is to be taken, or be accompanied by a translation in such language. Such translation shall be certified as correct by a Consular Officer of the High Contracting Party from whose judicial authority the request emanates. The “Letters of Request” shall state the nature of the proceedings for which the evidence is required, giving all necessary information in regard thereto, the names and descriptions of the parties thereto, and the names, descriptions and addresses of the witnesses. They shall also either be accompanied by a list of interrogatories to be put to the witness or witnesses, or as the case may be, by a description of the documents, samples or other objects to be produced, identified or examined, and a translation thereof certified as correct in the manner heretofore provided or shall request the competent authority to allow such questions to be asked *vivâ voce* as the parties or their representatives shall desire to ask.

(c) The “Letters of Request” shall be transmitted—

In England by a Portuguese Consular Officer to the Senior Master of the Supreme Court of Judicature;

In Portugal by a British Consular Officer to the President of the Court of Appeal in the district in which the evidence is to be taken.

In case the authority to whom “Letters of Request” are transmitted is not competent to execute them, the “Letters of Request” shall be forwarded without any further request to the competent authority of his own country.

(d) The competent authority to whom the “Letters of Request” are transmitted or forwarded shall give effect thereto and obtain the evidence required by the use of the same compulsory measures and the same procedure as are employed in the execution of a commission or order emanating from the authorities of his own country, except that, if a wish that some special procedure should be followed is expressed in the “Letters of Request” such special procedure shall be followed in so far as it is not incompatible with the law of the country where the evidence is to be taken.

(e) The Consular Officer, by whom the “Letters of Request” are transmitted, shall, if he so desires, be informed of the date and place where the proceedings will take place, in order that he may inform the interested party or parties who shall be permitted to be present in person or to be represented if they so desire.

(f) The execution of “Letters of Request” which comply with the preceding provisions of this Article can only be refused—

(1) If the authenticity of the “Letters of Request” is not established;



(2) If in the country where the evidence is to be taken the execution of the "Letters of Request" in question does not fall within the functions of the judiciary;

(3) If the High Contracting Party in whose territory the evidence is to be taken considers that his sovereignty or safety would be compromised thereby.

(g) In every instance where the "Letters of Request" are not executed by the authority to whom they are addressed, the latter will at once inform the Consular Officer by whom they were transmitted, stating the grounds on which the execution of the "Letters of Request" has been refused, or the judicial authority to whom they have been forwarded.

#### ARTICLE 8

(a) The evidence may also be taken, without any request to or the intervention of the authorities of the country in which it is to be taken, by a person in that country directly appointed for the purpose by the court by whom the evidence is required. A Consular Officer of the High Contracting Party whose court requires the evidence or any other suitable person may be so appointed.

(b) A person so appointed to take evidence may request the individuals named by the court appointing him to appear before him and give evidence. He may take all kinds of evidence which are not contrary to the law of the country where the evidence is being taken and shall have power to administer an oath.

(c) Requests to appear issued by such person shall, unless the recipient is a subject or citizen of the High Contracting Party for whose judicial authority the evidence is required, be drawn up in the language of the country where the evidence is to be taken, or be accompanied by a translation into such language.

(d) The evidence may be taken in accordance with the procedure recognized by the law of the country for whose judicial authority the evidence is required, and the parties will have the right to be present or to be represented by barristers or solicitors of that country or by any persons competent to appear before the courts of either of the countries concerned.

(e) It is understood that where the method of taking evidence referred to in this Article is employed, the procedure must be entirely voluntary and no measures of compulsion can be employed and the admissibility of evidence so taken remains a matter for the determination of the respective courts of the High Contracting Parties in accordance with their law.

#### ARTICLE 9

The fact that an attempt to take evidence by the method laid down in Article 8 has failed owing to the refusal of any witness to appear or to give evidence, does not preclude a request being subsequently made in accordance with Article 7.

#### ARTICLE 10

(a) Where evidence is taken in the manner provided in Article 7, the High Contracting Party, by whose judicial authority the "Letters of Request" are addressed, shall repay to the other High Contracting Party any expenses incurred by the competent authority of the latter in the execution of the request in respect of any charges and expenses payable to witnesses, experts, interpreters, or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom such authority may have deputed to act in cases where the law of his own country permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed. These expenses shall be such as are usually allowed in similar cases in the courts of the country where the evidence has been taken.

(b) The repayment of these expenses shall be claimed by the competent authority by whom the "Letters of Request" have been executed from the Consular Officer by whom they were transmitted when sending to him the documents establishing their execution.

(c) Except as above provided, no fees of any description shall be payable by one High Contracting Party to the other in respect of the taking of evidence.

#### IV.—*Judicial Assistance for Poor Persons, Imprisonment for Debt and Security for Costs*

##### ARTICLE 11

The subjects or citizens of one High Contracting Party shall enjoy in the territory of the other High Contracting Party a perfect equality of treatment with subjects or citizens of that High Contracting Party as regards free judicial assistance for poor persons and imprisonment for debt; and, provided that they are resident in any such territory, shall not be compelled to give security for costs in any case where a subject or citizen of such other High Contracting Party would not be so compelled.

#### V.—*General Provisions*

##### ARTICLE 12

Any difficulties which may arise in connection with the operation of this Convention shall be settled through the diplomatic channel.

##### ARTICLE 13

The present Convention, of which the English and Portuguese\* texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged in Lisbon.

The Convention shall come into force one month after the date on which ratifications are exchanged and shall remain in force for three years after the date of its coming into force.

If neither of the High Contracting Parties shall have given notice through the diplomatic channel to the other not less than six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

##### ARTICLE 14

(a) This Convention shall not apply *ipso facto* to Scotland or Northern Ireland, nor to any of the Colonies or Protectorates of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, nor to any territories under His suzerainty, nor to any mandated territories administered by His Government in the United Kingdom, but His Majesty may at any time, while the Convention is in force, under Article 13, by a notification given through His Ambassador at Lisbon, extend the operation of this Convention to any of the above-mentioned territories.

(b) Such notification shall state the authorities in the territory concerned to whom requests for service or for the taking of evidence are to be transmitted, and the language in which communications and translations are to be made.

The date of the coming into force of any such extension shall be one month from the date of such notification.

(c) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Con-

\* Not printed.

vention to any of the territories referred to in paragraph (a) of this Article, terminate such extension on giving six months' notice of termination through the diplomatic channel.

(d) The termination of the Convention under Article 13 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (a) of this Article.

#### ARTICLE 15

(a) This Convention shall not apply *ipso facto* to any of the Colonies of the Portuguese Republic, but the President of the Portuguese Republic may at any time while the Convention is in force under Article 13 extend this Convention to any of such Colonies by a notification given through his Ambassador in London.

(b) The provisions of paragraph (b) of Article 14 shall apply to any such notifications.

(c) The provisions of paragraph (c) and (d) of Article 14 shall apply to any Colonies of the Portuguese Republic to which this Convention has been extended.

(d) This Convention shall apply *ipso facto* to Madeira and the Azores and requests for service or for the taking of evidence in these territories shall be transmitted to the President of the Court of Appeal at Lisbon.

#### ARTICLE 16

(a) The High Contracting Parties agree that His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, may at any time, while the present Convention is in force, either under Article 13 or by virtue of any accession under this article, by a notification given through the diplomatic channel, accede to the present Convention in respect of any Member of the British Commonwealth of Nations whose Government may desire that such accession should be effected, provided that no notification of accession may be given at any time when the President of the Portuguese Republic has given notice of termination in respect of all the territories of His Majesty to which the Convention applies.

The provisions of Article 14 (b) shall be applicable to such notification. Any such accession shall take effect one month after the date of its notification.

(b) After the expiry of three years from the date of the coming into force of any accession under paragraph (a) of this Article, either of the High Contracting Parties may, by giving a six months' notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under Article 13 shall not affect its application to any such country.

(c) Any notification of accession under paragraph (a) of this Article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (b) shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention, in English and Portuguese texts, and have affixed thereto their seals.

Done in duplicate at London this 9th day of July, 1931.

(L.S.)      ARTHUR HENDERSON

(L.S.)      TH. A. GARCIA ROSADO





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Treaties

CANADA  
—  
TREATY SERIES, 1935  
No. 18

NOTIFICATION EFFECTED BY AN  
EXCHANGE OF NOTES  
(May 17, July 1 and 23, 1935)

EXTENDING TO CANADA AS FROM THE 1st AUGUST, 1935

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

THE PRESIDENT OF THE POLISH REPUBLIC

REGARDING

LEGAL PROCEEDINGS IN CIVIL AND  
COMMERCIAL MATTERS

Signed at Warsaw August 26, 1931  
Ratifications exchanged at London May 31, 1932

IN FORCE AUGUST 1, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936

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**NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (MAY 17,  
JULY 1 AND 23, 1935) EXTENDING TO CANADA AS FROM THE  
1st AUGUST, 1935, THE CONVENTION BETWEEN HIS MAJESTY  
AND THE PRESIDENT OF THE POLISH REPUBLIC REGARDING  
LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS**

*From the Secretary of State for External Affairs of Canada to the Secretary  
of State for Dominion Affairs*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, May 17, 1935.

SIR,—I have the honour to invite your attention to the Civil Procedure Conventions which have been concluded with Spain, Sweden, Norway, Poland, Italy, Austria, Portugal, Turkey and Germany, all of which have been signed and duly ratified. I have the honour to state that His Majesty's Government in Canada desire that, in accordance with the stipulations therein contained, these Conventions shall be extended to Canada by notification to the representative Governments. Such extension might well come into force from the date of ratification, or from a fixed date. In the latter event, it would be most convenient if the date could be the same in respect to all of the Conventions, and I venture to suggest that the 1st August of this year would be a satisfactory and, presumably, a practicable date. The question of dates will, of course, depend upon the circumstances but, if feasible, a uniform date would be preferable.

The authorities to whom judicial and extra-judicial Acts and Commissions Rogatoires are to be transmitted, will be, where action is to be taken in any Province in Canada, the Attorney-General of such Province; in the North West Territories, the Commissioner of the North West Territories; and in Yukon Territory, the Gold Commissioner of that Territory. The language in which communications to such authorities and translations are to be made will be English, except in the Province of Quebec, where they may be made either in English or in French. In order to insure due execution, Commissions Rogatoires should contain full and complete interrogatories.

I shall be obliged, therefore, if steps will be taken to make the necessary notifications to the representative Governments.

I have the honour to be,

Sir,

Your obedient servant,

O. D. SKELTON

*for the Secretary of State for External  
Affairs*

*From the British Chargé d'Affaires ad interim at Warsaw to the Minister of Foreign Affairs of Poland*

BRITISH EMBASSY

WARSAW, July 1, 1935.

YOUR EXCELLENCY,

At the instance of His Majesty's Government in Canada I have the honour to notify to Your Excellency, in accordance with Article 17 (a) of the convention regarding legal proceedings in civil and commercial matters, which was signed at Warsaw on the 26th August, 1931, the accession of His Majesty to that convention in respect of the Dominion of Canada.

The attached list indicates the authority in the various Provinces of Canada to whom requests for service under Article 3 or Letters of Request under Articles 7 or 8 should be transmitted, and the language in which communications and translations are to be made.

In accordance with Article 17 (a) of the convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 1st August next.

In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication, I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

A. F. AVELING

<i>Province or Territory</i>	<i>Authority</i>	<i>Language</i>
Ontario	Attorney-General	English
Quebec	Attorney-General	English or French
Nova Scotia	Attorney-General	English
Prince Edward Island	Attorney-General	English
New Brunswick	Attorney-General	English
British Columbia	Attorney-General	English
Manitoba	Attorney-General	English
Saskatchewan	Attorney-General	English
Alberta	Attorney-General	English
North West Territories	Commissioner of the North West Territories	English
Yukon Territory	The Gold Commissioner of the Yukon Territory	English

*From the Minister for Foreign Affairs of Poland to the Acting British Ambassador at Warsaw*

(Translation)

WARSAW, July 23, 1935.

MONSIEUR LE CHARGÉ D'AFFAIRES,

In your note No. 86/117/8/35 of the 1st July, 1935, you were good enough to inform me of the accession of the Dominion of Canada to the Convention between Poland and Great Britain regarding legal proceedings in civil and commercial matters, signed at Warsaw on August 26, 1931, such accession becoming effective as from August 1st, 1935.

In acknowledging receipt of the above mentioned note, I have the honour to inform you that it was duly noted and referred in due course to the competent authorities.

Accept, Sir, the assurances of my highest consideration.

JAN SZEMBEK



# CONVENTION BETWEEN HIS MAJESTY, IN RESPECT OF THE UNITED KINGDOM, AND THE PRESIDENT OF THE POLISH REPUBLIC, REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and

The President of the Polish Republic,

Being desirous to render mutual assistance in the conduct of legal proceedings in civil and commercial matters which are being dealt with or which it is anticipated may be dealt with by their respective judicial authorities;

Have resolved to conclude a Convention for this purpose and have appointed as their Plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

The Right Honourable Sir William Forbes Erskine, G.C.M.G., M.V.O., His Majesty's Ambassador Extraordinary and Plenipotentiary to the Polish Republic, and

The President of the Polish Republic:

M. August Zaleski, Minister for Foreign Affairs for the Polish Republic;

M. Stefan Sieczkowski, Under-Secretary of State to the Ministry of Justice for the Polish Republic;

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

## I.—*Preliminary*

### ARTICLE 1

(a) This Convention applies only to civil and commercial matters, including non-contentious matters.

(b) In this Convention the words—

(1) "Territory of one (or of the other) High Contracting Party" shall be interpreted (a) in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, as meaning at any time England and Wales and all territories in respect of which the Convention is in force by reason of extensions under Article 15 or accessions under Article 17; (b) in relation to the President of the Polish Republic as meaning at any time, without prejudice to the provisions of Article 16, Poland;

(2) "Persons" shall be deemed to mean individuals and artificial persons;

(3) "Artificial persons" shall be deemed to include partnerships, companies, societies and other corporations;

(4) "Subjects or citizens of a High Contracting Party" shall be deemed to include artificial persons constituted or incorporated under the laws of the territory of such High Contracting Party;

(5) "Subjects of one (or of the other) High Contracting Party" shall be deemed (a) in relation to His Majesty to mean all subjects of His Majesty wherever domiciled, and all persons under his protection; (b) in relation to the President of the Polish Republic to mean, without prejudice to the provisions of Article 16, all Polish citizens;

(6) "Consular officer" shall be deemed to include diplomatic officer.

## II.—*Service of Judicial and Extra-Judicial Documents*

### ARTICLE 2

(a) When judicial or extra-judicial documents drawn up in the territory of one of the High Contracting Parties are required by a judicial authority situated therein to be served on persons in the territory of the other High Contracting Party, such documents may be served on the recipient, whatever his nationality, by any of the methods provided in Articles 3 and 4.

(b) In Part II of this Convention, the expression "country of origin" means the country from which the documents to be served emanate, and the expression "country of execution" means the country in which service of documents is to be effected.

### ARTICLE 3

(a) A request for service shall be addressed and sent by a Consular Officer acting for the country of origin to the competent authority of the country of execution, requesting such authority to cause the document in question to be served.

(b) The request for service shall be drawn up in the language of the country of execution and shall state the names and descriptions of the parties, the name, description and address of the recipient, and the nature of the document to be served, and shall enclose the document to be served in duplicate. Where the document is of considerable length, a duplicate of the material parts sufficient to identify it will be accepted.

(c) The document to be served shall either be drawn up in the language of the country of execution, or be accompanied by a translation into such language. Such translation shall be certified as correct by a Consular Officer acting for the country of origin or an official or sworn translator of one of the two countries concerned.

(d) Requests for service shall be addressed and sent:—

In England to the Senior Master of the Supreme Court of Judicature.

In Poland to the Ministry of Justice in Warsaw.

If the authority to whom a request for service has been sent is not competent to execute it, such authority shall (except in cases where execution is refused in accordance with paragraph (f) of this Article) of his own motion forward the request to the competent authority of the country of execution.

(e) Service shall be effected by the competent authority of the country of execution, who shall serve the document in the manner prescribed by the municipal law of such country for the service of similar documents, except that, if a wish for some special manner of service is expressed in the request for service, such manner of service shall be followed in so far as it is not incompatible with the law of that country.

(f) The execution of a request for service, duly made in accordance with the preceding provisions of this Article, shall not be refused unless (1) the authenticity of the request for service is not established, or (2) the High Contracting Party in whose territory it is to be executed considers that his sovereignty or safety would be compromised thereby.

(g) In every instance where a request for service is not executed by the authority to whom it has been sent, the latter will at once inform the Consular Officer by whom the request was sent, stating the ground on which the execution of the request has been refused or the competent authority to whom it has been forwarded.

(h) The authority by whom the request for service is executed shall furnish a certificate proving the service or explaining the reason which has prevented such service, and setting forth the fact, the manner and the date of such service

or attempted service, and shall send the said certificate to the Consular Officer by whom the request for service was sent. The certificate of service or of attempted service shall be placed on one of the duplicates or attached thereto.

#### ARTICLE 4

(a) Service may be effected without any request to, or intervention of the authorities of the country of execution, by any of the following methods:—

- (1) By a Consular Officer acting for the country of origin;
- (2) By an agent appointed for the purpose either by the judicial authority of the country of origin or by the party on whose application the document was issued;
- (3) Through the post; or
- (4) By any other method of service which is not illegal, under the law existing at the time of service, in the country of execution.

(b) All documents served in the manner provided in (1) of the preceding paragraph shall, unless the recipient is a subject or citizen of the High Contracting Party from whose territory the document to be served emanates, either be drawn up in the language of the country of execution or be accompanied by a translation into such language, certified as correct as prescribed in Article 3 (c).

(c) The High Contracting Parties agree that in principle it is also desirable that the provisions of paragraph (b) of this Article should apply to documents served in the manner provided in (2), (3) and (4) of paragraph (a) of this Article. Nevertheless, in the absence of any legislation in their respective territories making translations obligatory in such cases, the High Contracting Parties do not accept any obligation in this respect.

#### ARTICLE 5

(a) In any case where documents have been served in accordance with the provisions of Article 3, the High Contracting Party, by whose Consular Officer the request for service was addressed, shall repay to the other High Contracting Party any charges and expenses which are payable under the law of the country of execution to the persons employed to effect service, and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall not exceed such as are usually allowed in the courts of that country.

(b) Repayment of these charges and expenses shall be claimed by the competent authority by whom the service has been effected from the Consular Officer by whom the request was addressed, when sending to him the certificate provided for in Article 3 (h).

(c) Except as provided above no fees of any description shall be payable by one High Contracting Party to the other in respect of the service of any documents.

### III.—*Taking of Evidence*

#### ARTICLE 6

(a) When a judicial authority in the territory of one of the High Contracting Parties requires that evidence should be taken in the territory of the other High Contracting Party, such evidence may be taken, whatever the nationality of the parties or witnesses may be, in any one of the ways prescribed in Articles 7, 8 or 9.

(b) In Part III of this Convention, the expressions—

- (1) "Taking of evidence" shall be deemed to include the taking of the statements of a plaintiff, defendant, expert, witness or any other person on oath or otherwise; the submission to a plaintiff, defendant, expert,



witness or any other person of any oath with regard to any legal proceedings; and the production, identification and examination of documents, samples or other objects.

- (2) "Witness" shall be deemed to include any person from whom any evidence, as defined above, is required to be taken.
- (3) "Country of origin" shall be deemed to mean the country by whose judicial authority the evidence is required, and "country of execution," the country in which the evidence is to be taken.

#### ARTICLE 7

(a) The judicial authority of the country of origin may, in accordance with the provisions of the law of his country, address himself by means of a Letter of Request to the competent authority of the country of execution, requesting such authority to take the evidence.

(b) The Letter of Request shall be drawn up in the language of the country of execution, or be accompanied by a translation into such language. Such translation shall be certified as correct by a Consular Officer acting for the country of origin or by an official or sworn translator of one of the two countries concerned. The Letter of Request shall state briefly the nature of the proceedings for which the evidence is required, the names and descriptions of the parties thereto, and the names, descriptions and addresses of the witnesses. They shall also either (1) be accompanied by a list of interrogatories to be put to the witness or witnesses, or, as the case may be, by a description of the documents, samples or other objects to be produced, identified or examined, and a translation thereof, certified as correct in the manner heretofore provided; or (2) shall request the competent authority to allow such questions to be asked *viva voce* as the parties or their representatives shall desire to ask.

(c) Letters of Request shall be transmitted—

In England by a Polish Consular Officer to the Senior Master of the Supreme Court of Judicature.

In Poland by a British Consular Officer to the Ministry of Justice.

In case the authority to whom any Letter of Request is transmitted is not competent to execute it, such authority shall (except in cases where execution is refused in accordance with paragraph (f) of this Article) of his own motion forward the Letter of Request to the competent authority of the country of execution.

(d) The competent authority of the country of execution shall give effect to the Letter of Request and obtain the evidence required by the use of the same compulsory measures and the same procedure as are employed in the execution of a commission or order emanating from the authorities of his own country, except that if a wish that some special procedure should be followed is expressed in the Letter of Request, such special procedure shall be followed in so far as it is not incompatible with the law of the country of execution.

(e) The Consular Officer, by whom the Letter of Request is transmitted, shall, if he so desires, be informed of the date when and the place where the proceedings will take place, in order that he may inform the interested party or parties, who shall be permitted to be present in person or to be represented if they so desire.

(f) The execution of a Letter of Request which complies with the preceding provisions of this Article can only be refused—

- (1) If the authenticity of the Letter of Request is not established;
- (2) If, in the country of execution, the execution of the Letter of Request in question does not fall within the functions of the judiciary;
- (3) If the High Contracting Party in whose territory it is to be executed considers that his sovereignty or safety would be compromised thereby

(g) In every instance where a Letter of Request is not executed by the authority to whom it is addressed, the latter will at once inform the Consular Officer by whom it was transmitted, stating the grounds on which the execution of the Letter of Request has been refused, or, in the case provided for in Article 7 (c), the competent authority to whom it has been forwarded.

(h) When a Letter of Request has been executed, the competent authority to whom it was transmitted or forwarded shall send to the Consular Officer by whom it was transmitted the necessary documents establishing its execution.

#### ARTICLE 8

(a) The judicial authority of the country of origin may, in the Letter of Request addressed to the competent authority of the country of execution, request such authority to appoint to take the evidence an individual specially designated in the Letter of Request.

A Consular Officer acting for the country of origin or any other suitable individual may be so designated.

(b) Where this procedure is adopted, the provisions of paragraphs (b), (c), (f), (g) and (h) of Article 7 shall apply, but the following paragraphs shall be substituted for paragraphs (d) and (e) of that Article.

(c) The competent authority of the country of execution shall give effect thereto and shall appoint the individual designated to take the evidence, unless such individual shall be unwilling so to act. In addition, if necessary, such authority shall make use of such compulsory powers as it possesses under its own law to secure the attendance of and the giving of evidence by the witnesses before the individual so appointed.

(d) The individual thus appointed shall have power to administer an oath, and any person giving false evidence before him shall be liable in the courts of the country of execution to the penalties provided by the law of that country for perjury.

(e) The evidence shall be taken in accordance with the law of the country of origin, provided such method is not contrary to the law of the country of execution, and the parties shall have the right to be present in person or to be represented by barristers or solicitors or by any other persons who are competent to appear before the courts of either the country of origin or of execution.

#### ARTICLE 9

(a) The evidence may also be taken, without any request to or the intervention of the authorities of the country of execution, by an individual in that country directly appointed for the purpose by the court of the country of origin. A Consular Officer acting for the country of origin or any other suitable individual may be so appointed.

(b) An individual so appointed to take evidence may request the persons named by the court appointing him to appear before him and to give evidence. He may take all kinds of evidence which are not contrary to the law of the country of execution, and shall have power to administer an oath. The attendance and giving of evidence before any such individual shall be entirely voluntary and no measures of compulsion shall be employed.

(c) Requests to appear issued by such individual shall, unless the recipient is a subject or citizen of the High Contracting Party for whose judicial authority the evidence is required, be drawn up in the language of the country of execution or be accompanied by a translation into such language.

(d) The evidence may be taken in accordance with the procedure recognized by the law of the country of origin, and the parties will have the right to be present in person or to be represented by barristers or solicitors of that country or by any representatives who are competent to appear before the courts either of the country of origin or of the country of execution.



## ARTICLE 10

The fact that an attempt to take evidence by the method laid down in Article 9 has failed owing to the refusal of any witness to appear or to give evidence does not preclude a request being subsequently made in accordance with Article 7 or 8.

## ARTICLE 11

(a) Where evidence is taken in the manner provided in Article 7 or 8 the High Contracting Party, by whose judicial authority the Letter of Request was addressed, shall repay to the other High Contracting Party any charges and expenses incurred by the competent authority of the latter in the execution of the request in respect of any charges and expenses payable to witnesses, experts, interpreters or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom such authority may have deputed to act, in cases where the law of the country of execution permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed. These charges and expenses shall be such as are usually allowed in similar cases in the courts of the country of execution.

(b) The repayment of these charges and expenses shall be claimed by the competent authority by whom the Letter of Request has been executed from the Consular Officer by whom it was transmitted when sending to him the documents establishing its execution as provided in Article 7 (h).

(c) Except as above provided no fees of any description shall be payable by one High Contracting Party to the other in respect of the taking of evidence.

#### IV.—*Judicial Assistance for Poor Persons, Imprisonment for Debt and Security for Costs*

## ARTICLE 12

The subjects or citizens of one High Contracting Party shall enjoy in the territory of the other High Contracting Party a perfect equality of treatment with subjects or citizens of that High Contracting Party as regards free judicial assistance for poor persons and imprisonment for debt; and, provided that they are resident in the territory of the other High Contracting Party, shall not be compelled to give security for costs in any case where a subject or citizen of such other High Contracting Party would not be so compelled.

#### V.—*General Provisions*

## ARTICLE 13

Any difficulties which may arise in connection with the question of this Convention shall be settled through the diplomatic channel.

## ARTICLE 14

The present Convention, of which the English and Polish\* texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged in London. The Convention shall come into force one month after the date on which ratifications are exchanged and shall remain in force for three years after the date of its coming into force. If neither of the High Contracting Parties shall have given notice through the diplomatic channel to the other not less than six months before the expiration of the said period of three years of his

\* Not printed.

intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

#### ARTICLE 15

(a) This Convention shall not apply *ipso facto* to Scotland or Northern Ireland, nor to any of the Colonies or Protectorates of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, nor to any territories under his suzerainty, nor to any mandated territories in respect of which the mandate is exercised by His Government in the United Kingdom, but His Majesty may at any time, while this Convention is in force under Article 14, by a notification given through His Ambassador at Warsaw, extend the operation of the Convention to any of the above-mentioned territories.

(b) Such notification shall state the authorities in the territory concerned to whom requests for service under Article 3 or Letters of Request under Article 7 or 8 are to be transmitted, and the language in which communications and translations are to be made. The date of the coming into force of any such extension shall be one month from the date of such notification.

(c) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph (a) of this Article, terminate such extension on giving six months' notice of termination through the diplomatic channel.

(d) The termination of the Convention under Article 14 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (a) of this Article.

#### ARTICLE 16

(a) The High Contracting Parties agree that the Government of the Republic of Poland, acting in virtue of Article 104 of the Treaty of Peace signed at Versailles on the 28th June, 1919, and of Articles 2 and 6 of the Convention concluded between Poland and Dantzig on the 9th November, 1920, may, at any time while the present Convention is in force, under Article 14 or by virtue of any accession under Article 17, declare that the present Convention shall apply to the Free City of Dantzig, by a notification given through the diplomatic channel.

(b) Upon such notification being made, the provisions of the present Convention shall apply to the territory of the Free City of Dantzig and the citizens of the Free City.

(c) Either High Contracting Party may terminate the application of the Convention to Dantzig at any time after the expiry of three years from the date of the coming into force of the notification referred to in paragraph (a) of this Article, by giving six months' notice of termination through the diplomatic channel.

(d) The termination of the Convention under Article 14 shall, unless otherwise expressly agreed to by both High Contracting Parties, terminate it in respect of the Free City of Dantzig.

#### ARTICLE 17

(a) The High Contracting Parties agree that His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, may at any time, while the present Convention is in force, either under Article 14 or by virtue of any accession under this Article, by a notification given through the diplomatic channel, accede to the present Convention in respect of

any Member of the British Commonwealth of Nations whose Government may desire that such accession should be effected, provided that no notification of accession may be given at any time when the President of the Polish Republic has given notice of termination in respect of all the territories of His Majesty to which the Convention applies. The provisions of Article 15 (b) shall be applicable to such notification. Any such accession shall take effect one month after the date of its notification.

(b) After the expiry of three years from the date of the coming into force of any accession under paragraph (a) of this Article, either of the High Contracting Parties may, by giving six months' notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under Article 14 shall not affect its application to any such country.

(c) Any notification of accession under paragraph (a) of this Article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (b) shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention, in English and Polish texts, and have affixed thereto their seals.

Done in duplicate at Warsaw the 26th August, 1931.

WILLIAM ERSKINE

AUGUST ZALESKI

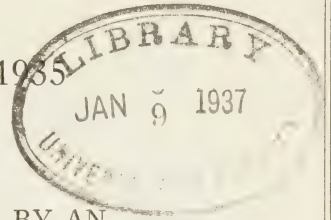
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Treaties

CANADA

TREATY SERIES, 1935  
No. 19



NOTIFICATION EFFECTED BY AN

EXCHANGE OF NOTES

(May 17, July 1 and 9, 1935)

EXTENDING TO CANADA AS FROM THE 1st AUGUST, 1935

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

THE PRESIDENT OF THE TURKISH REPUBLIC

REGARDING

LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS

Signed at Angora November 28, 1931

Ratifications exchanged at London April 12, 1933

IN FORCE AUGUST 1, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936







NOTIFICATION EFFECTED BY AN  
EXCHANGE OF NOTES  
(May 17, July 1 and 9, 1935)  
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THE CONVENTION  
BETWEEN  
HIS MAJESTY  
AND  
THE PRESIDENT OF THE TURKISH REPUBLIC  
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Signed at Angora November 28, 1931  
Ratifications exchanged at London April 12, 1933  
IN FORCE AUGUST 1, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
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1936



**NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (MAY 17,  
JULY 1 AND 9, 1935) EXTENDING TO CANADA AS FROM THE  
1st AUGUST, 1935, THE CONVENTION BETWEEN HIS MAJESTY  
AND THE PRESIDENT OF THE TURKISH REPUBLIC REGARDING  
LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS**

*From the Secretary of State for External Affairs of Canada to the Secretary of  
State for Dominion Affairs*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, May 17, 1935.

SIR,

I have the honour to invite your attention to the Civil Procedure Conventions which have been concluded with Spain, Sweden, Norway, Poland, Italy, Austria, Portugal, Turkey and Germany, all of which have been signed and duly ratified. I have the honour to state that His Majesty's Government in Canada desire that, in accordance with the stipulations therein contained, these Conventions shall be extended to Canada by notification to the representative Governments. Such extension might well come into force from the date of ratification, or from a fixed date. In the latter event, it would be most convenient if the date could be the same in respect to all of the Conventions, and I venture to suggest that the 1st of August of this year would be a satisfactory and, presumably, a practicable date. The question of dates will, of course, depend upon the circumstances but, if feasible, a uniform date would be preferable.

The authorities to whom judicial and extra-judicial Acts and Commissions Rogatoires are to be transmitted, will be, where action is to be taken in any Province in Canada, the Attorney-General of such Province; in the North West Territories, the Commissioner of the North West Territories; and in Yukon Territory, the Gold Commissioner of that territory. The language in which communications to such authorities and translations are to be made will be English, except in the Province of Quebec, where they may be made either in English or in French. In order to insure due execution, Commissions Rogatoires should contain full and complete interrogatories.

I shall be obliged, therefore, if steps will be taken to make the necessary notifications to the representative Governments.

I have the honour to be,

Sir,

Your obedient servant,

O. D. SKELTON

*for the Secretary of State for  
External Affairs*

*From the Charge d'Affaires at the British Embassy in Turkey to the Minister  
for Foreign Affairs of the Government of the Turkish Republic*

BRITISH EMBASSY IN TURKEY

CONSTANTINOPLE, July 1, 1935.

YOUR EXCELLENCY,

At the instance of His Majesty's Government in Canada I have the honour to notify to Your Excellency, in accordance with Article 18 (a) of the convention regarding legal proceedings in civil and commercial matters, which was signed at Angora on the 28th November, 1931, the accession of His Majesty to that convention in respect of the Dominion of Canada.

The attached list indicates the authority in the various Provinces of Canada to whom judicial and extra-judicial documents and letters of request should be transmitted.

In accordance with Article 18 (a) of the Convention, the accession now notified will come into force one month from the date of this note that is to say, on the 1st August next.

In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication, I have the honour to renew to Your Excellency the assurance of my highest consideration.

JAMES MORGAN

<i>Province or Territory</i>	<i>Authority</i>
Ontario	Attorney-General
Quebec	Attorney-General
Nova Scotia	Attorney-General
Prince Edward Island	Attorney-General
New Brunswick	Attorney-General
British Columbia	Attorney-General
Manitoba	Attorney-General
Saskatchewan	Attorney-General
Alberta	Attorney-General
North West Territories	Commissioner of the North West Territories
Yukon	The Gold Commissioner of the Yukon Territory

*From the Minister for Foreign Affairs of the Government of the Turkish Republic  
to the Chargé d'Affaires, British Embassy in Turkey*

(Translation)

ANKARA, July 9, 1935.

MONSIEUR LE CHARGÉ D'AFFAIRES,

I have the honour to acknowledge receipt of your note No. 80/161-15-35 of the 1st July, 1935, informing me that, in accordance with Article 18 (a) of the Legal Procedure Convention signed at Ankara on November 28, 1931, His Majesty's Government in Canada have acceded to the said Convention in respect of the Dominion of Canada.

In accordance with Article 18 (a) of the Convention, such accession will become effective one month from the date of your note, that is to say, on August 1st next.

While thanking you for the above communication, I have the honour to be, Sir, your most obedient, humble servant.

AALI TURKGELDI

**CONVENTION BETWEEN HIS MAJESTY, IN RESPECT OF THE UNITED  
KINGDOM, AND THE PRESIDENT OF THE TURKISH REPUBLIC  
REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL  
MATTERS**

His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India, and His Excellency the President of the Turkish Republic, being desirous to render mutual assistance in the conduct of legal proceedings, in civil and commercial matters, including non-contentious matters, which are being dealt with by their respective courts or authorities; have decided to conclude a convention for this purpose and have accordingly nominated as their plenipotentiaries:

His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

The Right Honourable Sir George Russell Clerk, G.C.M.G., C.B., His Majesty's Ambassador Extraordinary and Plenipotentiary in Turkey.

His Excellency the President of the Turkish Republic:

His Excellency Dr. Tevfik Rüştü Bey, Minister for Foreign Affairs, Deputy for Smyrna;

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

*I.—Preliminary*

ARTICLE 1

(1) This convention applies only to civil and commercial matters, including non-contentious matters.

(2) In the present convention the words "His Majesty" mean His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India.

(3) In the present convention the expression "Territories of the one (or of the other) High Contracting Party" means, in relation to His Majesty, England and Wales and any other territories to which the convention may be applicable by reason of extensions under Article 17 and accessions under Article 18.

(4) The expression "subjects of one (or of the other) High Contracting Party" means in relation to His Majesty all subjects of His Majesty wherever domiciled.

*II.—Service of Judicial and Extra-Judicial Documents*

ARTICLE 2

When judicial or extra-judicial documents drawn up in the territory of one High Contracting Party are to be served on persons in the territory of the other, the party interested at his option may cause such documents to be served on the recipient in any of the ways provided in Articles 3, 5 and 6.

ARTICLE 3

(a) The request for service is addressed:—

In England by the Turkish Consul in London to the Senior Master of the Supreme Court of Judicature in England.



In Turkey by a British consular officer to the Governor of the Province, in which his consulate is situated, for transmission to the appropriate Turkish authorities.

(b) The request, containing the name of the authority from whom the document transmitted emanates, the names and descriptions of the parties, the names, descriptions and address of the recipient, and the nature of the document in question, shall be drawn up in the language of the country in which service is to be effected. The document to be served shall be drawn up in the language of the country in which service is to be effected, or be accompanied by a translation in such language. The said translation shall be certified as correct by the consular officer by whom the request was addressed, or by an official or sworn translator of one or other of the countries concerned.

(c) Service shall be effected by the competent authority of the country in which service is to be effected, who shall serve the document in the manner prescribed by the municipal law of such country for the service of similar documents, or, should a wish to that effect be expressed in the request, in a special form which is not incompatible with such law. If the authority to whom a document has been transmitted is not competent to deal with it, such authority will of its own motion transmit the document to the competent authority of his own country.

(d) The execution of the request for service can only be refused if the High Contracting Party in whose territory it is to be effected considers it such as to compromise his sovereignty or safety.

(e) The authority who receives the request shall send to the consular officer the documents proving the service or explaining the reason which has prevented such service. Proof of service shall be furnished by a certificate from the authority of the country in which service is to be effected, setting forth the fact, the manner and the date of such service. The document to be served, and the translation, if any, shall be forwarded in duplicate, and the certificate shall appear on one of the copies, or be attached to it.

#### ARTICLE 4

No fees of any description shall be payable by one High Contracting Party to the other in respect of the service.

Nevertheless, in the cases provided for in Article 3, the High Contracting Party from whose territory the documents emanate must pay to the High Contracting Party in whose territory they are served any charges and expenses which are payable under the local law to the persons employed to effect service, and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall be calculated in accordance with the tariff in force for nationals in the country in which service is effected so far as the same is applicable. Repayment of these charges and expenses shall be claimed by the authority of the country in which service is effected from the consular officer making the request when transmitting the certificate provided for in Article 3 (e).

#### ARTICLE 5

The document to be served may also be served on the recipient, if he is a subject or citizen of the High Contracting Party from whose territory the documents emanate, without the application of any compulsion and without the intervention of the authorities of the High Contracting Party in whose territory service is to be effected, by the diplomatic or consular officers of the High Contracting Party from whose territory the documents emanate.

The document shall be drawn up in the language of the country in which service is to be effected, or shall be accompanied by a translation in such language.

## ARTICLE 6

Service of documents may also be effected by post in cases where this method is permitted by the law of the country from which the document emanates, if the recipient is a subject or citizen of the High Contracting Party from whose territory the document emanates.

II.—*Taking of Evidence*

## ARTICLE 7

When a Court in the territory of one High Contracting Party orders that evidence is to be taken in the territory of the other High Contracting Party, this may be done in either of the ways prescribed in Articles 8 and 10.

## ARTICLE 8

(a) The Court may, in accordance with the provisions of its law, address itself by means of a letter of request to the competent authority in the territory of the other High Contracting Party, requesting such authority to undertake a judicial enquiry within his jurisdiction.

(b) The letter of request shall be drawn up in the language of the authority applied to, or accompanied by a translation in such language certified as correct by a diplomatic or consular officer of the High Contracting Party from whose Court the request emanates or by an official or sworn translator of one of the countries concerned.

(c) The letter of request shall be transmitted—

In England by the Turkish Consul in London to the Senior Master of the Supreme Court of Judicature in England;

In Turkey by a British consular officer to the Governor of the province in which his consulate is situated for transmission to the appropriate Turkish authorities.

(d) It shall be incumbent upon the judicial authority to whom the letter of request is addressed to give effect to it by the use of the same compulsory measures as in the execution of a commission or order emanating from the authorities of his own country.

(e) The consular officer by whom the letter of request is transmitted shall, if he so desires, be informed of the date and place where the proceedings will take place, in order that the interested parties may be able to be present or to be represented.

(f) The execution of the letter of request can only be refused—

(1) If the authenticity of the request is not established;

(2) If in the country to the authorities of which the request is addressed, the execution of the letter of request does not fall within the functions of the judiciary;

(3) If the High Contracting Party in whose territory the request is to be executed considers it such as to affect his sovereignty or safety.

(g) In case the authority applied to is without jurisdiction, the letter of request shall be forwarded, without any further request, to the competent authority of the same country in accordance with the rules laid down by the law of that country.

(h) In every instance where the letter of request is not executed by the authority to whom it is transmitted, the latter will at once inform the consular officer by whom the request is transmitted, stating the grounds on which the execution of the commission has been refused, or the judicial authority to whom the commission has been forwarded.

(i) The authority which executes the letter of request will apply, so far as the procedure to be followed is concerned, the law of his own country.

Nevertheless, an application by the authority making the request that some special procedure may be followed shall be acceded to, provided that such procedure is not incompatible with the law of the country where the request is to be executed.

#### ARTICLE 9

(a) No fees of any description shall be payable by one High Contracting Party to the other in respect of the execution of letters of request.

(b) Nevertheless, the High Contracting Party, from whose Court the request emanates, shall repay to the High Contracting Party, in whose territory it is executed, any charges and expenses payable to witnesses, experts, interpreters or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom the competent judicial authority may have deputed to act in cases where the municipal law permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed.

(c) The repayment of these charges and expenses shall be claimed by the authority of the country in which the request was executed from the consular officer by whom the request was transmitted when delivering the documents establishing the execution of the letter of request. These charges and expenses are calculated in accordance with the tariff in force for nationals in the country in which the request was executed so far as the same is applicable.

#### ARTICLE 10

(a) The evidence may also be taken, without the intervention of the authorities of the High Contracting Party in whose territory it is to be taken, by a diplomatic or consular officer of the High Contracting Party before whose Courts the evidence is to be used.

(b) The diplomatic or consular officer appointed to take the evidence may request named individuals provided that they are subjects or citizens of the High Contracting Party for whose Courts the evidence is required, to appear as witnesses or to produce any document, and to take an oath, but he has no compulsory powers.

(c) Requests to appear issued by the consular officer will be drawn up in the language of the country where the evidence is to be taken, or accompanied by a translation into such language.

(d) The evidence may be taken in accordance with the procedure laid down by the law of the country in which the evidence is to be used, and the parties will have the right to be present or to be represented by any person who is competent to act before the tribunals of either country concerned.

#### ARTICLE 11

The fact that an attempt to take evidence by the method laid down in Article 10 has failed owing to the refusal of any witnesses to appear, to give evidence, or to produce documents does not preclude an application being subsequently made in accordance with Article 8.

### IV.—*Security for Costs, etc.*

#### ARTICLE 12

As regards security for costs, orders for the payment of costs and expenses, free judicial assistance and imprisonment for debt, the subjects or citizens of one High Contracting Party shall enjoy in territory of the other High Contracting Party a perfect equality of treatment with the subjects or citizens of that High Contracting Party.

## ARTICLE 13

In cases where a subject or citizen of one High Contracting Party has, in accordance with Article 12, been exempted from giving security for costs in the territory of the other, judgments condemning such person to pay costs shall be enforceable by the Courts or authorities in the territory of the former High Contracting Party by the most summary procedure available for enforcing foreign judgments under the laws of that country.

## V.—General Provisions

## ARTICLE 14

Any difficulties which may arise in connection with the operation of this Convention shall be settled through the diplomatic channel.

## ARTICLE 15

(a) Either High Contracting Party may at any time while the present Convention is in force terminate the operation of Articles 5, 6 and 10, without affecting the operation of the remainder of the Convention, by giving two months' notice to this effect through the diplomatic channel.

(b) If while the present Convention is in force, the President of the Turkish Republic shall, by a notification given through the Turkish Ambassador in London, give his consent to the extension of the application of Articles 5, 6 or 10 to classes of persons other than the class to which those articles at present apply, the application of those articles shall be extended in the territories of both High Contracting Parties as from the date of and in accordance with such notification.

## ARTICLE 16

The present Convention, of which the English and Turkish\* texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged in London. The Convention shall come into force three months after the date on which ratifications are exchanged and shall remain in force for three years after its coming into force. In case neither of the High Contracting Parties shall have given notice to the other six months before the expiration of the said period of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given such notice.

## ARTICLE 17

(a) This Convention shall not apply *ipso facto* to Scotland or Northern Ireland, nor to any of the Colonies or Protectorates of His Majesty, nor to any mandated territories in respect of which the mandate is exercised by his Government in the United Kingdom, but His Majesty may at any time while the Convention is in force under Article 16 extend by a notification given through his Ambassador in Turkey this Convention to any of the above-mentioned territories.

(b) Such notification shall state the authorities in the territory concerned to whom judicial and extra-judicial documents and letters of request are to be transmitted. The language in which communications or translations are to be made shall be English. The date of the coming into force of any such extension shall be one month from the date of its notification.

(c) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Con-

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\* Not printed.



vention to any of the territories referred to in paragraph (a) of this article, terminate such extension on giving six months' previous notice through the diplomatic channel.

(d) The termination of the Convention under Article 16 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (a) of this article.

#### ARTICLE 18

(a) The High Contracting Parties agree that His Majesty may at any time, while the present Convention is in force, either under Article 16 or by virtue of any accession under this Article, by a notification given through the diplomatic channel, accede to the present Convention in respect of any Member of the British Commonwealth of Nations whose Government may desire that such accession should be effected, provided that no notification of accession may be given at any time when the President of the Turkish Republic has given notice of termination in respect of all the territories of His Majesty to which the Convention applies. The provisions of Article 17 (b) shall be applicable to such notification. Any such accession shall take effect one month after the date of its notification.

(b) After the expiry of three years from the date of the coming into force of any accession under paragraph (a) of this Article, either of the High Contracting Parties may, by giving six months' notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under Article 16 shall not affect its application to any such country.

(c) Any notification of accession under paragraph (a) of this Article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (b) shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention, in English and Turkish texts, and have affixed thereto their seals.

Done in duplicate at Angora, this twenty-eighth day of November, one thousand nine hundred and thirty-one.

GEORGE R. CLERK

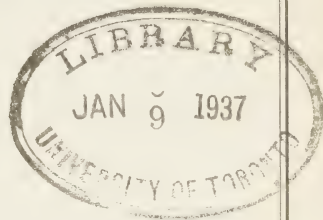
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Treatie

CANADA  
TREATY SERIES, 1935  
No. 20



CONVENTION  
BETWEEN  
CANADA AND THE UNITED STATES  
OF AMERICA

RELATING TO  
CERTAIN COMPLAINTS ARISING FROM THE  
OPERATION OF THE SMELTER AT  
TRAIL, BRITISH COLUMBIA

Signed at Ottawa, April 15, 1935  
Ratifications Exchanged at Ottawa, August 3, 1935

IN FORCE AUGUST 3, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



CONVENTION  
BETWEEN  
CANADA AND THE UNITED STATES  
RELATING TO  
CERTAIN COMPLAINTS ARISING  
FROM THE OPERATION OF THE SMELTER  
AT TRAIL, B.C.

Ottawa, April 15, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



# CONVENTION BETWEEN CANADA AND THE UNITED STATES

RELATING TO

Certain Complaints Arising from the Operation of the  
Smelter at Trail, B.C.

OTTAWA, April 15th, 1935.

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and The President of the United States of America,

Considering that the Government of the United States has complained to the Government of Canada that fumes discharged from the smelter of the Consolidated Mining and Smelting Company at Trail, British Columbia, have been causing damage in the State of Washington, and

Considering further that the International Joint Commission, established pursuant to the Boundary Waters Treaty of 1909, investigated problems arising from the operation of the smelter at Trail and rendered a report and recommendations thereon, dated February 28, 1931, and

Recognizing the desirability and necessity of effecting a permanent settlement,

Have decided to conclude a Convention for the purposes aforesaid, and to that end have named as their respective plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, for the Dominion of Canada:

The Right Honourable RICHARD BEDFORD BENNETT, Prime Minister,  
President of the Privy Council and Secretary of State for External  
Affairs;

The President of the United States of America:

PIERRE DE L. BOAL, Chargé d'Affaires ad interim of the United States  
of America at Ottawa;

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:

## ARTICLE I

The Government of Canada will cause to be paid to the Secretary of State of the United States, to be deposited in the United States Treasury, within three months after ratifications of this Convention have been exchanged, the sum of three hundred and fifty thousand dollars, United States currency, in payment of all damage which occurred in the United States, prior to the first day of January, 1932, as a result of the operation of the Trail Smelter.

## ARTICLE II

The Governments of Canada and of the United States, hereinafter referred to as "the Governments," mutually agree to constitute a tribunal hereinafter referred to as "the Tribunal," for the purpose of deciding the Question referred to it under the provisions of Article III. The Tribunal shall consist of a chairman and two national members.



The chairman shall be a jurist of repute who is neither a British subject nor a citizen of the United States. He shall be chosen by the Governments, or, in the event of failure to reach agreement within nine months after the exchange of ratifications of this Convention, by the President of the Permanent Administrative Council of the Permanent Court of Arbitration at The Hague described in Article 49 of the Convention for the Pacific Settlement of International Disputes concluded at The Hague on October 18, 1907.

The two national members shall be jurists of repute, who have not been associated directly or indirectly, in the present controversy. One member shall be chosen by each of the Governments.

The Governments may each designate a scientist to assist the Tribunal.

### ARTICLE III

The Tribunal shall finally decide the questions, hereinafter referred to as "the Questions," set forth hereunder, namely:—

- (1) Whether damage caused by the Trail Smelter in the State of Washington has occurred since the first day of January, 1932, and, if so, what indemnity should be paid therefor?
- (2) In the event of the answer to the first part of the preceding Question being in the affirmative, whether the Trail Smelter should be required to refrain from causing damage in the State of Washington in the future and, if so, to what extent?
- (3) In the light of the answer to the preceding Question, what measures or regime, if any, should be adopted or maintained by the Trail Smelter?
- (4) What indemnity or compensation, if any, should be paid on account of any decision or decisions rendered by the Tribunal pursuant to the next two preceding Questions?

### ARTICLE IV

The Tribunal shall apply the law and practice followed in dealing with cognate questions in the United States of America as well as International Law and Practice, and shall give consideration to the desire of the High Contracting Parties to reach a solution just to all parties concerned.

### ARTICLE V

The procedure in this adjudication shall be as follows:

1. Within nine months from the date of the exchange of ratifications of this agreement, the Agent for the Government of the United States shall present to the Agent for the Government of Canada a statement of the facts, together with the supporting evidence, on which the Government of the United States rests its complaint and petition.

2. Within a like period of nine months from the date on which this agreement becomes effective, as aforesaid, the Agent for the Government of Canada shall present to the Agent for the Government of the United States a statement of the facts, together with the supporting evidence, relied upon by the Government of Canada.

3. Within six months from the date on which the exchange of statements and evidence provided for in paragraphs 1 and 2 of this Article has been completed, each Agent shall present in the manner prescribed by paragraphs 1 and 2 an answer to the statement of the other with any additional evidence and such argument as he may desire to submit.

## ARTICLE VI

When the development of the record is completed in accordance with Article V hereof the Governments shall forthwith cause to be forwarded to each member of the Tribunal a complete set of the statements, answers, evidence and arguments presented by their respective Agents to each other.

## ARTICLE VII

After the delivery of the record to the members of the Tribunal in accordance with Article VI the Tribunal shall convene at a time and place to be agreed upon by the two Governments for the purpose of deciding upon such further procedure as it may be deemed necessary to take. In determining upon such further procedure and arranging subsequent meetings, the Tribunal will consider the individual or joint requests of the Agents of the two Governments.

## ARTICLE VIII

The Tribunal shall hear such representations and shall receive and consider such evidence, oral or documentary, as may be presented by the Governments or by interested parties, and for that purpose shall have power to administer oaths. The Tribunal shall have authority to make such investigations as it may deem necessary and expedient, consistent with other provisions of this Convention.

## ARTICLE IX

The Chairman shall preside at all hearings and other meetings of the Tribunal, and shall rule upon all questions of evidence and procedure. In reaching a final determination of each or any of the Questions, the Chairman and the two members shall each have one vote, and, in the event of difference, the opinion of the majority shall prevail, and the dissent of the Chairman or member, as the case may be, shall be recorded. In the event that no two members of the Tribunal agree on a question, the Chairman shall make the decision.

## ARTICLE X

The Tribunal, in determining the first question and in deciding upon the indemnity, if any, which should be paid in respect to the years 1932 and 1933, shall give due regard to the results of investigations and inquiries made in subsequent years.

Investigators, whether appointed by or on behalf of the Governments, either jointly or severally, or the Tribunal, shall be permitted at all reasonable times to enter and view and carry on investigations upon any of the properties upon which damage is claimed to have occurred or to be occurring, and their reports may, either jointly or severally, be submitted to and received by the Tribunal for the purpose of enabling the Tribunal to decide upon any of the Questions.

## ARTICLE XI

The Tribunal shall report to the Governments its final decisions, together with the reasons on which they are based, as soon as it has reached its conclusions in respect to the Questions, and within a period of three months after the conclusion of proceedings. Proceedings shall be deemed to have been concluded when the Agents of the two Governments jointly inform the Tribunal that they have nothing additional to present. Such period may be extended by agreement of the two Governments.

Upon receiving such report, the Governments may make arrangements for the disposition of claims for indemnity for damage, if any, which may occur subsequently to the period of time covered by such report.

## ARTICLE XII

The Governments undertake to take such action as may be necessary in order to ensure due performance of the obligations undertaken hereunder, in compliance with the decision of the Tribunal.

## ARTICLE XIII

Each Government shall pay the expenses of the presentation and conduct of its case before the Tribunal and the expenses of its national member and scientific assistant.

All other expenses, which by their nature are a charge on both Governments, including the honorarium of the neutral member of the Tribunal, shall be borne by the two Governments in equal moieties.

## ARTICLE XIV

This agreement shall be ratified in accordance with the constitutional forms of the Contracting Parties and shall take effect immediately upon the exchange of ratifications, which shall take place at Ottawa as soon as possible.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed this Convention and have hereunto affixed their seals.

Done in duplicate at Ottawa this fifteenth day of April, in the year of our Lord, one thousand, nine hundred and thirty-five.

(L.S.) R. B. BENNETT.

(L.S.) PIERRE DE L. BOAL.

CANADA  
TREATY SERIES, 1935  
No. 21

TRADE AGREEMENT  
BETWEEN  
CANADA AND NEW ZEALAND

Signed at Ottawa and Wellington April 23, 1932  
IN FORCE MAY 24, 1932

Extended in May and November, 1933, for six months,  
in May, 1934, for a period of one year, and in  
May, 1935, for a further period of six months

Extended and Modified in November, 1935,  
until July 31, 1936



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936





TRADE AGREEMENT  
BETWEEN  
CANADA AND NEW ZEALAND

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Signed at Ottawa and Wellington, April 23, 1932

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Extension of Agreement in May 1935

Extension and Modification November 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



## TRADE AGREEMENT BETWEEN CANADA AND NEW ZEALAND

Signed at Ottawa and Wellington April 23, 1932

IN FORCE MAY 24, 1932

*See Treaty Series 1932, No. 2*

This Agreement was extended for 6 months in May and November, 1933, and for a period of one year in May, 1934, and for a further period of six months in May, 1935, by the following Orders in Council:

P.C. 1016, May 23, 1933. See *Canada Gazette Extra*, May 23, 1933.

P.C. 2283, November 1, 1933. See *Canada Gazette Extra*, November 4, 1933.

P.C. 978, May 10, 1934. See *Canada Gazette Extra*, May 11, 1934.

P.C. 1234, May 10, 1935. See *Canada Gazette*, May 18, 1935.

Extended and Modified in November, 1935, until July 31, 1936, by the following Order in Council:

P.C. 3579, November 14, 1935. See *Canada Gazette Extra*, November 21, 1935



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Treaties

CANADA  
—  
TREATY SERIES, 1935  
No. 22



AGREEMENT

BETWEEN THE GOVERNMENTS OF THE UNITED  
KINGDOM, CANADA, THE COMMONWEALTH  
OF AUSTRALIA, NEW ZEALAND, THE  
UNION OF SOUTH AFRICA  
AND INDIA

AND THE  
GERMAN AND FRENCH GOVERNMENTS  
IN REGARD TO  
WAR GRAVES

Signed at Berlin December 20, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936





# AGREEMENT

BETWEEN THE GOVERNMENTS OF THE UNITED  
KINGDOM, CANADA, THE COMMONWEALTH  
OF AUSTRALIA, NEW ZEALAND, THE  
UNION OF SOUTH AFRICA  
AND INDIA

AND THE

GERMAN AND FRENCH GOVERNMENTS

IN REGARD TO

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OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



# **AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED KINGDOM, CANADA, THE COMMONWEALTH OF AUSTRALIA, NEW ZEALAND, THE UNION OF SOUTH AFRICA AND INDIA AND THE GERMAN AND FRENCH GOVERNMENTS IN REGARD TO WAR GRAVES**

The Governments of the United Kingdom of Great Britain and Northern Ireland, Canada, the Commonwealth of Australia, New Zealand, the Union of South Africa and India,

The German Government

and, as regards the provisions in Articles 7 and 8 of this Agreement,

the Government of the French Republic

have concluded, in respect of the graves of members of the Naval, Military and Air Forces of the British Empire and of Germany, the Agreement which follows:

Die Deutsche Regierung, die Regierungen des Vereinigten Königreichs von Grossbritannien und Nordirland, von Canada, des Australischen Bundes, von Neuseeland, der Süd-afrikanischen Union und die Indische Regierung,

sowie hinsichtlich der Bestimmungen der Artikel 7 und 8 dieser Vereinbarung

die Regierung der Französischen Republik

haben über die Gräber der Angehörigen der See-, Land- und Luftstreitkräfte Deutschlands und des Britischen Reichs die folgende Vereinbarung getroffen:

Le Gouvernement de la République Française, en ce qui concerne les dispositions des articles 7 et 8 de la présente Convention.

les Gouvernements du Royaume-Uni de Grande-Bretagne et d'Irlande septentrionale, du Canada, de la Confédération australienne, de Nouvelle-Zélande, de l'Union Sud-africaine et le Gouvernement de l'Inde, et

le Gouvernement allemand

ont conclu la Convention ci-après au sujet des sépultures des marins, des militaires et des aviateurs de l'Empire Britannique et de l'Allemagne.

## **ARTICLE 1**

In this Agreement the expression "the Commission" means the Imperial War Graves Commission incorporated by Royal Charter granted by His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, on the Twenty-first day of May, 1917, and established for the purpose (inter alia) of caring for the war graves of the British Empire all over the world.

## **ARTIKEL 1**

In dieser Vereinbarung bedeutet der Ausdruck, "die Kommission" die "Imperial War Graves Commission," die durch Königliche Verordnung Seiner Majestät des Königs von Grossbritannien, Irland und der überseeischen britischen Lande, Kaisers von Indien, vom 21. Mai 1917 anerkannt ist und (unter anderem) zum Zweck der Betreuung der Kriegsgräber des Britischen Reichs in der ganzen Welt errichtet wurde.

## **ARTICLE 1**

Dans la présente convention, l'expression "La Commission" signifie la "Commission Impériale des sépultures militaires" qui a été reconnue par chartre royale de Sa Majesté le Roi de Grande-Bretagne, d'Irlande et des Possessions Britanniques au delà des mers, Empereur des Indes, en date du 21 mai 1917, et qui a été instituée notamment en vue d'assurer l'entretien des sépultures militaires de l'Empire Britannique dans le monde entier.

The expression "British Military Cemeteries, Graves and Memorials" means the cemeteries and graves in German territory of members of the Naval, Military or Air forces of the British Empire resulting from the Great War and the memorials in the said territory relating to the same, which are the subject of this Agreement.

The Commission are recognized by the German Government as the sole British Authority charged with the care of the British Military Cemeteries, Graves and Memorials.

#### ARTICLE 2

The care of German war graves is in the hands of the Official German War Graves Service ("Amtlicher Deutscher Kriegsgräberdienst"), which is referred to in this Agreement as the "Kriegsgräberdienst." The German unofficial association, the "Volksbund Deutsche Kriegsgräberfürsorge," functions in concert and in collaboration with the Kriegsgräberdienst.

#### ARTICLE 3

The German Government agrees that the Commission shall be at liberty to continue as heretofore to provide themselves for the maintenance of the British Military Cemeteries situated at Cologne, Berlin (Stahnsdorf), Ham-

Unter dem Ausdruck "britische Militärfriedhöfe, -gräber und -gedenksteine" sind die auf deutschem Gebiet liegenden, aus dem Weltkrieg stammenden Friedhöfe und Gräber der Angehörigen der See-, Land- oder Luftstreitkräfte des Britischen Reichs sowie die dazugehörigen Gedenksteine in dem genannten Gebiet zu verstehen, die Gegenstand dieser Vereinbarung sind.

Die Kommission wird seitens der Deutschen Regierung als die einzige britische Stelle anerkannt, die mit der Betreuung der britischen Militärfriedhöfe, -gräber und -gedenksteine beauftragt ist.

#### ARTIKEL 2

Die Betreuung der deutschen Kriegsgräber liegt in den Händen des "Amtlichen Deutschen Kriegsgräberdienstes," der in dieser Vereinbarung als "Kriegsgräberdienst" bezeichnet ist. Die deutsche nichtamtliche Vereinigung "Volksbund Deutsche Kriegsgräberfürsorge" arbeitet im Einvernehmen und im Zusammenwirken mit dem Kriegsgräberdienst.

#### ARTIKEL 3

Die Deutsche Regierung ist damit einverstanden, dass die Kommission die Freiheit haben soll, sich wie bisher auch künftig der Unterhaltung der britischen Militärfriedhöfe in Köln, Berlin (Stahnsdorf), Hamburg (Ohls-

Par l'expression "cimetières, sépultures et pierres commémoratives militaires britanniques" il faut entendre les cimetières et sépultures des marins, des militaires et des aviateurs de l'Empire Britannique situés en territoire allemand et provenant de la guerre 1914-1918 ainsi que les pierres commémoratives la concernant dans le territoire sus-désigné, lesquels font l'objet de la présente Convention.

La Commission sera considérée par le Gouvernement allemand comme le seul organisme britannique chargé de l'entretien des cimetières, sépultures et pierres commémoratives militaires britanniques.

#### ARTICLE 2

L'entretien des sépultures militaires allemandes est confié au "Service Officiel allemand des sépultures militaires," lequel est désigné, dans la présente Convention, sous le nom de "Service des sépultures militaires."

L'association allemande non officielle "Union nationale allemande pour l'entretien des sépultures militaires" travaillera d'accord et en collaboration avec le Service des sépultures militaires.

#### ARTICLE 3

Le Gouvernement allemand reconnaît à la Commission la liberté de se consacrer dans l'avenir, comme dans le passé, à l'entretien des cimetières militaires britanniques de Cologne, Berlin (Stahnsdorf), Hambourg (Ohls-



burg (Ohlsdorf), Niederzwehren (Cassel) and Zehrendorf, and to employ British subjects as custodians of the same.

The appointment of these custodians is subject to the approval of the German Government, and they shall be given a document of authorization in which the competent authorities are expressly requested to give them all assistance necessary for carrying out their duties.

The Commission are authorized to lay out and maintain the said cemeteries in accordance with their own principles of treatment and to exercise the internal regulation and control of them.

The same right shall be accorded to the Kriegsgräberdienst, if and in so far as it decides to take over the administration of the German War Cemeteries and Graves in British territory.

#### ARTICLE 4

The German Government takes due note of the existence of British War Graves in Germany, outside the limits of the cemeteries referred to in the preceding Article.

The German Government grants to the Commission full liberty to inspect the condition of the said graves from time to time. The same liberty will be granted to the Kriegsgräberdienst in respect of the German War Graves in British territory. The contracting Governments undertake to take into consideration the rep-

dorf), Niederzwehren (Kassel) und Zehrendorf zu widmen und britische Staatsangehörige als Wärter für diese zu verwenden.

Die Bestellung dieser Wärter bedarf der Bestätigung der Deutschen Regierung; es wird ihnen eine Bescheinigung ausgestellt werden, in der die zuständigen Stellen ausdrücklich angewiesen werden, ihnen jeden möglichen Beistand bei der Ausübung ihrer Pflichten zu gewährleisten.

Die Kommission ist berechtigt, die vorgenannten Friedhöfe in Übereinstimmung mit ihren eigenen Grundsätzen auszubauen und zu unterhalten und den inneren Dienst und die Kontrolle über sie auszuüben.

Dasselbe Recht soll dem Kriegsgräberdienst zustehen, wenn und insoweit er sich entschliesst, die Verwaltung deutscher Kriegsgräber auf britischem Gebiet zu übernehmen.

#### ARTIKEL 4

Die Deutsche Regierung nimmt Kenntnis von dem Bestehen britischer Kriegsgräber in Deutschland ausserhalb der Grenzen der in dem vorhergehenden Artikel genannten Friedhöfe.

Die Deutsche Regierung gesteht der Kommission volle Freiheit zu, Gräber von Zeit zu Zeit auf ihren Zustand zu besichtigen. Dasselbe Recht wird dem Kriegsgräberdienst hinsichtlich der deutschen Kriegsgräber auf britischem Gebiet zugebilligt. Die vertragschliessenden Teile verpflichten sich, den

dorf), Niederzwehren (Cassel) et Zehrendorf et d'employer comme gardiens de ces cimetières des ressortissants britanniques.

Le choix de ces gardiens est soumis à l'approbation du Gouvernement allemand. Il sera délivré à ces gardiens un certificat dans lequel les autorités compétentes seront expressément invitées à leur prêter toute l'assistance possible dans l'accomplissement de leur tâche.

La Commission est autorisée à aménager et à entretenir les cimetières précités, suivant ses propres principes, et à y exercer le service intérieur et le contrôle.

Le même droit appartiendra au Service des sépultures militaires s'il décide, et dans la mesure où il le jugera à propos, de se charger de l'administration des cimetières militaires allemands en territoire britannique.

#### ARTICLE 4

Le Gouvernement allemand prend note de l'existence de sépultures militaires britanniques en Allemagne en dehors des limites des cimetières désignés à l'article précédent.

Le Gouvernement allemand reconnaît à la Commission l'entière liberté d'inspecter de temps en temps l'état des sépultures. Le même droit est concédé au Service des sépultures militaires en ce qui concerne les sépultures militaires allemandes en territoire britannique. Les Gouvernements contractants s'engagent à

representations of the Commission or the Kriegsgräberdienst should any case be found where attention to any grave is considered necessary.

Vorstellungen der Kommission bzw. des Kriegsgräberdienstes Rechnung zu tragen, wenn ein Fall festgestellt werden sollte, in dem einem Grab besondere Aufmerksamkeit zugewandt werden muss.

tenir compte des observations de la Commission, ou du Service des sépultures militaires au cas où il serait constaté qu'une sépulture devrait faire l'objet d'une attention particulière.

#### ARTICLE 5

The Commission shall be at liberty to import into Germany free of customs or import dues for use or store in Germany all monuments, such as headstones, stone, marble, or other building material, tools, appliances and stores, which may be required by the Commission in maintaining, repairing or carrying out replacements in the British Military Cemeteries, graves and memorials; and also (subject to such conditions as the competent German Authorities may consider necessary as a safeguard against the introduction of disease) all trees, shrubs, plants, seeds and bulbs required for the horticultural treatment of the same.

The Commission will use their best endeavours to ensure that the Kriegsgräberdienst shall be accorded the same rights, if and in so far as it decides to rebuild, repair or carry out replacements in the case of the German War Cemeteries and Graves in British territory.

#### ARTIKEL 5

Die Kommission ist befugt, nach Deutschland frei von Zoll und Einfuhrgebühren alle Denkmäler, insbesondere Grabsteine, Steine, Marmor oder anderes Baumaterial und Werkzeuge zum Gebrauch und auf Vorrat einzuführen, die von der Kommission zur Unterhaltung, zur Instandsetzung und zur Ausführung von Ersatzarbeiten an den Gräbern und Denkmälern auf den britischen Militärfriedhöfen für nötig gehalten werden: das gleiche gilt (unter Berücksichtigung der Bedingungen, die die zuständigen deutschen Stellen als Schutzmassnahme gegen die Einschleppung von Krankheiten für nötig halten) für alle Bäume, Sträucher, Pflanzen, Samen und Zwiebeln, die für die gärtnerische Unterhaltung erforderlich sind.

Die Kommission wird sich dafür einsetzen, dass dem Kriegsgräberdienst dieselben Rechte zugestanden werden, wenn und insoweit er sich entschliesst, deutsche Kriegsgräber auf britischem Gebiet auszubauen, instand zu setzen oder Ersatzarbeiten an ihnen auszuführen.

#### ARTICLE 5

La Commission est autorisée à introduire en Allemagne, pour son usage et à titre de réserve avec exonération de tout droit de douanes, tous monuments, en particulier pierres tombales, pierres, marbre ou autres matériaux de construction et tout l'outillage que la Commission jugera nécessaire à l'entretien, à la mise en état et à l'exécution de travaux de remplacement concernant les sépultures et les monuments des cimetières militaires britanniques; il en sera de même (sous réserve des conditions jugées nécessaires par les autorités allemandes compétentes à titre de protection contre les maladies) en ce qui concerne tous les arbres, arbustes, plantes, graines et bulbes nécessaires à l'entretien horticole.

La Commission s'emploiera à faire accorder les mêmes droits au Service des sépultures militaires, s'il décide, et dans la mesure où il le jugera à propos, d'aménager, de mettre en état des sépultures militaires allemandes en territoire britannique, ou d'exécuter sur ces sépultures des travaux de remplacement.

## ARTICLE 6

## ARTIKEL 6

## ARTICLE 6

Bodies of members of the Forces of the British Empire and of the German Forces buried in cemeteries or in Military graves shall not be exhumed for removal and subsequent reburial without the approval of the Commission or the Kriegsgräberdienst, as the case may be. The Governments concerned undertake to instruct the competent authorities to refuse all applications for permission for the removal of bodies unless preferred through the Commission or the Kriegsgräberdienst, as the case may be.

Leichen von Angehörigen der Streitkräfte des Britischen Reichs und von Angehörigen der deutschen Streitkräfte, die in Friedhöfen oder in Militärgräbern bestattet sind, dürfen nicht ohne Zustimmung der Kommission bzw. des Kriegsgräberdienstes zum Zwecke der Entfernung und nachfolgenden Wiederbestattung ausgebettet werden. Die Regierungen verpflichten sich, die zuständigen Behörden anzuweisen, alle Anträge auf Erlaubnis zur Entfernung solcher Leichen abzulehnen, wenn sie nicht durch die Kommission bzw. den Kriegsgräberdienst gestellt werden.

Les corps des membres des armées de l'Empire Britannique et des membres des armées allemandes, qui sont inhumés dans des cimetières ou dans des sépultures militaires, ne pourront, sans l'assentiment de la Commission, ou respectivement du Service des sépultures militaires, être exhumés en vue d'être emmenés et inhumés à nouveau dans la suite. Les Gouvernements s'engagent à inviter les autorités compétentes à rejeter toutes demandes d'autorisation visant le transfert de ces corps, qui ne seront pas présentées par la Commission ou par le Service des sépultures militaires.

## ARTICLE 7

## ARTIKEL 7

## ARTICLE 7

The Commission shall appoint a Mixed Committee to represent the Commission in Germany in their relations with the German Authorities, both Military and Civil, and especially to exercise in the name of the Commission the rights reserved to them under the present agreement. This Committee shall be competent to perform, in the name of the Commission and within the limits of the powers delegated to it by the latter, all civil acts necessary to enable it to fulfil its object.

This Committee shall also be competent to act, subject to any conditions which the German Government may from time to time determine, as representative of the Kriegs-

Die Kommission wird einen gemischten Ausschuss einsetzen, der die Kommission in Deutschland in ihren Beziehungen zu den deutschen Militär- und Zivilbehörden vertritt und der insbesondere im Namen der Kommission die Rechte ausübt, die ihr nach der gegenwärtigen Vereinbarung zustehen. Der Ausschuss ist zuständig, im Namen der Kommission und innerhalb der Grenzen der ihm von dieser erteilten Vollmacht alle Rechtshandlungen vorzunehmen, die nötig sind, um ihn zur Erfüllung seiner Aufgabe zu befähigen.

Der Ausschuss ist ferner zuständig, unter Berücksichtigung der Bedingungen, die die Deutsche Regierung von Zeit zu

La Commission instituera un Comité mixte qui représentera la Commission en Allemagne dans ses rapports avec les autorités civiles et militaires allemandes et qui exercera, au nom de la Commission, les droits reconnus à celle-ci par la présente Convention. Le Comité a qualité pour procéder, au nom de la Commission et dans les limites des pouvoirs qui lui sont délégués par celle-ci, à tous actes juridiques qui seraient nécessaires pour lui permettre l'accomplissement de sa tâche.

Le Comité a, de plus, qualité, sous réserve des conditions que le Gouvernement allemand pourra édicter de temps en temps, comme représentant du Service des sépultures militaires dans ses rapports



gräberdienst in its relations with the Commission in matters concerning the German War Graves situated in British territory.

To facilitate the examination and solution of questions affecting the German War Graves situated in the British Cemeteries in France, it is agreed that members appointed on the recommendation of the French Government shall participate in the discussions of the Committee concerning the war graves in question.

#### ARTICLE 8

The Mixed Committee shall be composed of four honorary members, of whom two shall be British and two German, and of eight official members, of whom four shall be British and four German, and it shall also include, for the consideration of the question referred to in the last paragraph of the preceding Article, one French honorary member and one French official member.

The German and French members shall be appointed on the recommendation of the German Government or the French Government, as the case may be, which shall be requested and transmitted through the diplomatic channel.

The honorary members shall be chosen from persons who have won distinction in the Army or the Navy, in letters, art or science.

Zeit festsetzen kann, als Vertreter des Kriegsgräberdienstes in seinen Beziehungen zu der Kommission zu handeln, soweit Angelegenheiten in Frage stehen, die die deutschen Kriegsgräber auf britischem Gebiet betreffen.

Um die Prüfung und Lösung von Fragen zu erleichtern, die die deutschen Kriegsgräber auf britischen Friedhöfen in Frankreich betreffen, wird vereinbart, dass Mitglieder, die auf Empfehlung der Regierung der Französischen Republik ernannt werden, an den Erörterungen des Ausschusses über die in Frage stehenden Kriegsgräber teilnehmen.

#### ARTIKEL 8

Der gemischte Ausschuss soll aus vier Ehrenmitgliedern, und zwar zwei britischen und zwei deutschen bestehen, und aus acht ordentlichen Mitgliedern, von denen vier britisch und vier deutsch sein sollen; ihm sollen ferner mit Rücksicht auf die Fragen, auf die im letzten Absatz des vorhergehenden Artikels Bezug genommen ist, auch ein französisches Ehrenmitglied und ein französisches ordentliches Mitglied angehören.

Die deutschen und die französischen Mitglieder werden auf Vorschlag der Deutschen Regierung bzw. der Französischen Regierung ernannt, der auf diplomatischem Wege eingeholt und übermittelt werden soll.

Die Ehrenmitglieder sollen unter den Personen ausgewählt werden, die sich im Heer oder in der

avec la Commission, en ce qui concerne les questions intéressant les sépultures militaires allemandes en territoire britannique.

En vue de faciliter l'étude et le règlement des questions intéressant les sépultures militaires allemandes dans les cimetières britanniques en France, il est convenu que des membres nommés sur présentation du Gouvernement de la République Française prendront part aux discussions du Comité, au sujet des sépultures militaires en question.

#### ARTICLE 8

Le Comité mixte se composera de quatre membres d'honneur, dont deux britanniques et deux allemands, et de huit membres actifs, dont quatre devront être britanniques et quatre allemands; eu égard aux questions qui sont envisagées au dernier alinéa de l'article précédent, le Comité comprendra également un membre d'honneur française et un membre actif français.

Les membres allemands et les membres français seront nommés sur la proposition du Gouvernement allemand, ou, respectivement, du Gouvernement français, proposition qui devra être sollicitée et transmise par la voie diplomatique.

Les membres d'honneur seront choisis parmi les personnalités qui se sont distinguées dans l'armée ou la marine, dans la

The Official of the German Ministry for Foreign Affairs responsible for the Kriegsgräberdienst, the Direktor of the "Zentralnachweiseamt für Kriegerverluste und Kriegergräber" and the Bundesführer of the "Volksbund Deutsche Kriegsgräberfürsorge" shall be chosen as German official members by virtue of the administrative functions exercised by them.

The official members shall be regarded as appointed at the moment they assume office, and shall cease to form part of the Committee from the day when they vacate their said offices. The German Government and the French Government undertake to notify the Commission of all changes which may take place amongst the German and French official members.

The Commission shall select the Secretary General of the Mixed Committee.

Marine, in Literatur, Kunst oder Wissenschaft ausgezeichnet haben.

Der Sachbearbeiter für den Kriegsgräberdienst im Auswärtigen Amt, der Direktor des "Zentralnachweiseamts für Kriegerverluste und Kriegergräber," der Bundesführer des "Volksbunds Deutsche Kriegsgräberfürsorge" werden kraft des Amtes, das sie bekleiden, zu ordentlichen deutschen Mitgliedern ernannt.

Die ordentlichen Mitglieder gelten in dem Augenblick als ernannt, in dem sie das Amt übernehmen, und sollen von dem Tage an aufhören, dem Ausschuss anzugehören, an dem sie aus ihrer Stellung ausscheiden. Die Deutsche Regierung und die Französische Regierung verpflichten sich, der Kommission von allen Veränderungen Kenntnis zu geben, die hinsichtlich der deutschen und französischen ordentlichen Mitglieder eintreten.

Die Kommission wird den Generalsekretär des gemischten Ausschusses ernennen.

littérature, l'art ou la science.

Le fonctionnaire chargé du Service des sépultures militaires au Ministère des Affaires Etrangères du Reich, le Directeur du "Service Central des renseignements sur les morts de la guerre et sur les sépultures militaires" (Zentralnachweiseamt für Kriegerverluste und Kriegergräber) et le Président de l'Union Nationale allemande pour l'entretien des sépultures militaires (Volksbund Deutsche Kriegsgräberfürsorge) seront, en vertu des fonctions qu'ils remplissent, nommés membres actifs allemands.

Les membres actifs seront considérés comme nommés à dater du moment où ils entreront en fonction, et ils cesseront de faire partie du Comité à partir du jour où ils quitteront leurs fonctions. Le Gouvernement allemand et le Gouvernement français s'engagent à notifier à la Commission tout changement pouvant intervenir en ce qui concerne les membres actifs allemands et français.

La Commission nommera le Secrétaire Général du Comité mixte.

#### ARTICLE 9

The Belgian Government shall, in so far as concerns the German War Graves in British Cemeteries in Belgium, be invited to accede to this Agreement and if they agree to do so the membership of the Mixed Committee shall be increased by two Belgian members

#### ARTIKEL 9

Mit Rücksicht auf die deutschen Kriegsgräber auf britischen Friedhöfen in Belgien wird die Belgische Regierung eingeladen werden, dieser Vereinbarung beizutreten; im Falle ihres Einverständnisses soll der gemischte Ausschuss um zwei belgische Mitglieder vermehrt

#### ARTICLE 9

En raison de l'existence de sépultures militaires allemandes dans des cimetières britanniques de Belgique, le Gouvernement belge sera invité à adhérer à la présente Convention; s'il y consent, le Comité mixte sera augmenté de deux membres belges qui seront proposés et nommés



whose selection and appointment shall be made under similar conditions to those which govern the selection and the appointment of the French members.

In witness whereof the undersigned, duly authorized to that effect, have signed the present Agreement in the English, German and French languages, all being of equal validity.

Done at Berlin, the 20th December, 1935, in a single copy which shall be deposited in the archives of the German Government, and of which certified copies shall be furnished to each contracting Government.

werden, die unter den gleichen Bedingungen vorgeschlagen und ernannt werden, wie sie für die französischen Mitglieder gelten.

Zu Urkund dessen haben die zu diesem Zweck gehörig ermächtigten Unterzeichneten die vorliegende Vereinbarung in deutscher, englischer und französischer Sprache unterschrieben, deren Texte gleichwertig sind.

Geschehen in Berlin, den 20. Dezember 1935 in einer Urschrift, die in den Archiven der Deutschen Regierung niedergelegt und von der eine beglaubigte Abschrift jeder der vertragschliessenden Regierungen mitgeteilt werden wird.

dans les mêmes conditions que les membres français.

En foi de quoi, les soussignés dûment autorisés à cet effet, ont signé la présente Convention en langue française, anglaise et allemande, chaque version ayant égale autorité.

Fait à Berlin, le 20 décembre en un seul exemplaire, qui sera déposé dans les archives du Gouvernement allemand, et dont les copies certifiées seront remises à chacun des Gouvernements contractants.

For the Government of the United Kingdom of Great Britain and Northern Ireland,

ERIC PHIPPS

For the Government of Canada,

ERIC PHIPPS

For the Government of The Commonwealth of Australia,

ERIC PHIPPS

For the Government of New Zealand,

ERIC PHIPPS

For the Government of the Union of South Africa,

S. F. N. GIE

For the Government of India,

ERIC PHIPPS

Für die Deutsche Regierung,

B. W. von BÜLOW

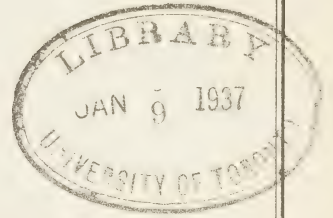
Pour le Gouvernement de la République Française,

ANDRÉ FRANÇOIS-PONCET

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Treaties  
CANADA

TREATY SERIES, 1935  
No. 23

CONVENTION  
FOR  
THE REGULATION OF WHALING



Signed at Geneva September 24, 1931

Deposit of Canadian Ratification, Geneva  
December 12, 1935

IN FORCE MARCH 12, 1936



OTTAWA  
J. O. PATENAUDE, I.S.O.  
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1936

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CONVENTION  
FOR THE  
REGULATION OF WHALING

Geneva, September 24th, 1931

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CONVENTION  
POUR LA  
RÉGLEMENTATION DE LA CHASSE À  
LA BALEINE

Geneva, le 24 septembre 1931



OTTAWA  
J. O. PATENAUDE  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935

*Price, 25 cents*

## CONVENTION FOR THE REGULATION OF WHALING

HIS MAJESTY THE KING OF THE ALBANIANS; THE PRESIDENT OF THE GERMAN REICH; THE PRESIDENT OF THE UNITED STATES OF AMERICA; HIS MAJESTY THE KING OF THE BELGIANS; HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA; THE PRESIDENT OF REPUBLIC OF COLOMBIA; HIS MAJESTY THE KING OF DENMARK AND ICELAND; THE PRESIDENT OF THE GOVERNMENT OF THE SPANISH REPUBLIC; THE PRESIDENT OF THE REPUBLIC OF FINLAND; THE PRESIDENT OF THE FRENCH REPUBLIC; THE PRESIDENT OF THE HELLENIC REPUBLIC; HIS MAJESTY THE KING OF ITALY; THE PRESIDENT OF THE UNITED STATES OF MEXICO; HIS MAJESTY THE KING OF NORWAY; HER MAJESTY THE QUEEN OF THE NETHERLANDS; THE PRESIDENT OF THE POLISH REPUBLIC; HIS MAJESTY THE KING OF ROUMANIA; THE SWISS FEDERAL COUNCIL; THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC; THE PRESIDENT OF THE TURKISH REPUBLIC; HIS MAJESTY THE KING OF YUGOSLAVIA

have appointed as their Plenipotentiaries the following:

HIS MAJESTY THE KING OF THE ALBANIANS:

M. Lec KURTI, Resident Minister, Permanent Delegate accredited to the League of Nations.

THE PRESIDENT OF THE GERMAN REICH:

M. Hans Hermann VÖLCKERS, Consul-General at Geneva.

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

Mr. Hugh R. Wilson, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

HIS MAJESTY THE KING OF THE BELGIANS:

M. P. HYMANS, Minister for Foreign Affairs.

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA:

For Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations:  
The Right Honourable Viscount CECIL OF CHELWOOD, K.C.

For the Dominion of Canada:

The Honourable Hugh GUTHRIE, P.C., K.C., M.P., Minister of Justice and Attorney-General.

For the Commonwealth of Australia:

Mr. James R. COLLINS, C.M.G., C.B.E., Official Secretary and Financial Adviser in the Office of the High Commissioner in London.

For the Dominion of New Zealand:

Sir Thomas Mason WILFORD, K.C.M.G., K.C., High Commissioner in London.

For the Union of South Africa:

Mr. C. T. TE WATER, High Commissioner in London.

For India:

Sir Brojendra L. MITTER, Kt., Law Member of the Viceroy's Executive Council.



## CONVENTION POUR LA RÉGLEMENTATION DE LA CHASSE À LA BALEINE

SA MAJESTÉ LE ROI DES ALBANAIS; LE PRÉSIDENT DU REICH ALLEMAND; LE PRÉSIDENT DES ETATS-UNIS D'AMÉRIQUE; SA MAJESTÉ LE ROI DES BELGES; SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES DOMINIONS BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES; LE PRÉSIDENT DE LA RÉPUBLIQUE DE COLOMBIE; SA MAJESTÉ LE ROI DE DANEMARK ET D'ISLANDE; LE PRÉSIDENT DU GOUVERNEMENT DE LA RÉPUBLIQUE ESPAGNOLE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE FINLANDE; LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE; LE PRÉSIDENT DE LA RÉPUBLIQUE HELLÉNIQUE; SA MAJESTÉ LE ROI D'ITALIE; LE PRÉSIDENT DES ETATS-UNIS DU MEXIQUE; SA MAJESTÉ LE ROI DE NORVÈGE; SA MAJESTÉ LA REINE DES PAYS-BAS; LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE; SA MAJESTÉ LE ROI DE ROUMANIE; LE CONSEIL FÉDÉRAL SUISSE; LE PRÉSIDENT DE LA RÉPUBLIQUE TCHÉCOSLOVAQUE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE TURQUIE; SA MAJESTÉ LE ROI DE YUGOSLAVIE

ont désigné pour leurs plénipotentiaires, savoir:

SA MAJESTÉ LE ROI DES ALBANAIS:

M. Lee KURTI, Ministre résident, Délégué permanent auprès de la Société des Nations.

LE PRÉSIDENT DU REICH ALLEMAND:

M. Hans Hermann VÖLCKERS, Consul général à Genève.

LE PRÉSIDENT DES ETATS-UNIS D'AMÉRIQUE:

M. Hugh R. WILSON, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse.

SA MAJESTÉ LE ROI DES BELGES:

M. P. HYMANS, Ministre des Affaires étrangères.

SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES DOMINIONS BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES:

Pour la Grande-Bretagne et l'Irlande du Nord, ainsi que toutes parties de l'Empire britannique non membres séparés de la Société des Nations:

Le très honorable vicomte CECIL OF CHELWOOD, K.C.

Pour le Dominion du Canada:

L'honorable Hugh GUTHRIE, P.C., K.C., M.P., Ministre de la Justice, Procureur général.

Pour le Commonwealth d'Australie:

Mr. James R. COLLINS, C.M.G., C.B.E., Secrétaire officiel et Conseiller financier au Bureau du Haut Commissaire à Londres.

Pour le Dominion de la Nouvelle-Zélande:

Sir Thomas Mason WILFORD, K.C.M.G., K.C., Haut Commissaire à Londres.

Pour l'Union Sud-Africaine:

Mr. C. T. TE WATER, Haut Commissaire à Londres.

Pour l'Inde:

Sir Brojendra L. MITTER, Kt., Membre juridique du Conseil exécutif du Vice-Roi.

THE PRESIDENT OF THE REPUBLIC OF COLOMBIA:

Dr. A. J. RESTREPO, Permanent Delegate accredited to the League of Nations.

HIS MAJESTY THE KING OF DENMARK AND ICELAND:

M. William BORBERG, Permanent Delegate accredited to the League of Nations.

THE PRESIDENT OF THE GOVERNMENT OF THE SPANISH REPUBLIC:

M. Alejandro LERROUX GARCÍA, Minister of State.

THE PRESIDENT OF THE REPUBLIC OF FINLAND:

M. Evald GYLLENBÖGEL, Counsellor of Legation, Permanent Delegate *a.i.* accredited to the League of Nations.

THE PRESIDENT OF THE FRENCH REPUBLIC:

M. Louis ROLLIN, Deputy, Minister of Commerce and Industry.

THE PRESIDENT OF THE HELLENIC REPUBLIC:

M. R. RAPHAËL, Permanent Delegate accredited to the League of Nations.

HIS MAJESTY THE KING OF ITALY:

M. Augusto Rosso, Minister Plenipotentiary, Substitute Delegate to the Council of the League of Nations.

THE PRESIDENT OF THE UNITED STATES OF MEXICO:

M. Salvador MARTÍNEZ DE ALVA, Head of the Permanent Office accredited to the League of Nations.

HIS MAJESTY THE KING OF NORWAY:

M. Birger BRAADLAND, Minister for Foreign Affairs.

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

Jonkheer F. BEELAERTS VAN BLOKLAND, Minister for Foreign Affairs.

THE PRESIDENT OF THE POLISH REPUBLIC:

M. Auguste ZALESKI, Minister for Foreign Affairs.

HIS MAJESTY THE KING OF ROUMANIA:

M. Constantin ANTONIADE, Envoy Extraordinary and Minister Plenipotentiary accredited to the League of Nations.

THE SWISS FEDERAL COUNCIL:

M. Giuseppe MOTTA, President of the Swiss Confederation, Head of the Federal Political Department.

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC:

M. Zdeněk FIERLINGER, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Permanent Delegate accredited to the League of Nations.

THE PRESIDENT OF THE TURKISH REPUBLIC:

Cemal HÜSNÜ BEY, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

HIS MAJESTY THE KING OF YUGOSLAVIA:

M. Voislav MARINKOVITCH, Minister for Foreign Affairs.

LE PRÉSIDENT DE LA RÉPUBLIQUE DE COLOMBIE:

Le Docteur A. J. RESTREPO, Délégué permanent auprès de la Société de la Nation.

SA MAJESTÉ LE ROI DE DANEMARK ET D'ISLANDE:

M. William BORBERG, Délégué permanent auprès de la Société des Nations.

LE PRÉSIDENT DU GOUVERNEMENT DE LA RÉPUBLIQUE ESPAGNOLE:

M. Alejandro LERROUX GARCÍA, Ministre d'Etat.

LE PRÉSIDENT DE LA RÉPUBLIQUE DE FINLANDE:

M. Evald GYLLENBÖGEL, Conseiller de Légation, Délégué permanent *ad.* auprès de la Société des Nations.

LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE:

M. Louis ROLLIN, Député, Ministre du Commerce et de l'Industrie.

LE PRÉSIDENT DE LA RÉPUBLIQUE HELLÉNIQUE:

M. R. RAPHAËL, Délégué permanent auprès de la Société des Nations.

SA MAJESTÉ LE ROI D'ITALIE:

M. Augusto Rosso, Ministre plénipotentiaire, Délégué adjoint au Conseil de la Société des Nations.

LE PRÉSIDENT DES ETATS-UNIS DU MEXIQUE:

M. Salvador MARTÍNEZ DE ALVA, Directeur du Bureau permanent auprès de la Société des Nations.

SA MAJESTÉ LE ROI DE NORVÈGE:

M. Birger BRAADLAND, Ministre des Affaires étrangères.

SA MAJESTÉ LA REINE DES PAYS-BAS:

Le Jonkheer F. BEELAERTS VAN BLOKLAND, Ministre des Affaires étrangères.

LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLONGE:

M. Auguste ZALESKI, Ministre des Affaires étrangères.

SA MAJESTÉ LE ROI DE ROUMANIE:

M. Constantin ANTONIADE, Envoyé extraordinaire et Ministre plénipotentiaire auprès de la Société des Nations.

LE CONSEIL FÉDÉRAL SUISSE:

M. Giuseppe MOTTA, Président de la Confédération suisse, Chef du Département politique fédéral.

LE PRÉSIDENT DE LA RÉPUBLIQUE TCHÉCOSLOVAQUE:

M. Zdeněk FIERLINGER, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse, Délégué permanent auprès de la Société des Nations.

LE PRÉSIDENT DE LA RÉPUBLIQUE DE TURQUIE:

Cemal HÜSNÜ bey, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse.

SA MAJESTÉ LE ROI DE YOUGO-SLAVIE:

M. Voislav MARINKOVITCH, Ministre des Affaires étrangères.

Who, having communicated their full powers, found in good and due form, have agreed on the following provisions:

#### ARTICLE 1

The High Contracting Parties agree to take, within the limits of their respective jurisdictions, appropriate measures to ensure the application of the provisions of the present Convention and the punishment of infractions of the said provisions.

#### ARTICLE 2

The present Convention applies only to baleens or whalebone whales.

#### ARTICLE 3

The present Convention does not apply to aborigines dwelling on the coasts of the territories of the High Contracting Parties provided that:

- (1) They only use canoes, pirogues or other exclusively native craft propelled by oars or sails;
- (2) They do not carry firearms;
- (3) They are not in the employment of persons other than aborigines;
- (4) They are not under contract to deliver the products of their whaling to any third person.

#### ARTICLE 4

The taking or killing of right whales, which shall be deemed to include North-Cape whales, Greenland whales, southern right whales, Pacific right whales and southern pigmy right whales, is prohibited.

#### ARTICLE 5

The taking or killing of calves or suckling whales, immature whales, and female whales which are accompanied by calves (or suckling whales) is prohibited.

#### ARTICLE 6

The fullest possible use shall be made of the carcasses of whales taken. In particular:

1. There shall be extracted by boiling or otherwise the oil from all blubber and from the head and the tongue and, in addition, from the tail as far forward as the outer opening of the lower intestine.

The provisions of this sub-paragraph shall apply only to such carcasses or parts of carcasses as are not intended to be used for human food.

2. Every factory, whether on shore or afloat, used for treating the carcasses of whales shall be equipped with adequate apparatus for the extraction of oil from the blubber, flesh and bones.

3. In the case of whales brought on shore, adequate arrangements shall be made for utilizing the residues after the oil has been extracted.

#### ARTICLE 7

Gunners and crews of whaling vessels shall be engaged on terms such that their remuneration shall depend to a considerable extent upon such factors as the size, species, value and yield of oil of whales taken, and not merely upon the number of whales taken, in so far as payment is made dependent on results.



Lesquels, après avoir communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:

#### ARTICLE PREMIER

Les Hautes Parties contractantes conviennent de prendre, dans les limites de leurs juridictions respectives, des mesures appropriées pour assurer l'application des dispositions de la présente Convention et pour punir les infractions auxdites dispositions.

#### ARTICLE 2

La présente Convention est applicable seulement aux baleines à fanons.

#### ARTICLE 3

La présente Convention ne s'applique pas aux aborigènes habitant les côtes des territoires des Hautes Parties contractantes à la condition que:

- 1° Ils fassent seulement usage de canots, de pirogues ou d'autres embarcations exclusivement indigènes et mues à la voile ou à rames;
- 2° Ils ne se servent pas d'armes à feu;
- 3° Ils ne soient pas au service de personnes non aborigènes;
- 4° Ils ne soient pas tenus de livrer à des tiers le produit de leur chasse.

#### ARTICLE 4

Il est interdit de capturer ou de tuer les "right whales," qui seront considérées comme comprenant le baleine du cap Nord, la baleine du Groenland, la "right whale" australe, la "right whale" du Pacifique et la "right whale" pygmée australe.

#### ARTICLE 5

Il est interdit de capturer ou de tuer les baleineaux ou jeunes baleines non sevrées, les baleines non adultes et les baleines femelles accompagnées de baleineux (ou jeunes non sevrés).

#### ARTICLE 6

Les carcasses de baleines capturées devront être utilisées aussi complètement que possible. En particulier:

1° L'huile devra être extraite, par ébullition ou par tout autre procédé, de tout le blanc ainsi que de la tête et de la langue et, en outre, de la queue jusqu'à l'ouverture extérieure du gros intestin.

Les dispositions du présent paragraphe ne seront applicables qu'aux carcasses ou parties de carcasses non destinées à être utilisées comme comestibles.

2° Toute usine, flottante ou non, servant à traiter les carcasses de baleine, devra être munie de l'outillage nécessaire pour extraire l'huile du blanc, de la chair et des os.

3° Si des baleines sont amenées au rivage, des mesures appropriées devront être prises pour utiliser les résidus après l'extraction de l'huile.

#### ARTICLE 7

Les canonniers et les équipages des navires baleiniers devront être embauchés à des conditions qui feront, dans une grande mesure, dépendre leur rémunération de facteurs tels que la taille, l'espèce, la valeur des baleines capturées et la quantité d'huile extraite, et non pas seulement du nombre des baleines capturées, pour autant que cette rémunération dépende des résultats de la chasse.



## ARTICLE 8

No vessel of any of the High Contracting Parties shall engage in taking or treating whales unless a licence authorizing such vessel to engage therein shall have been granted in respect of such vessel by the High Contracting Party, whose flag she flies, or unless her owner or charterer has notified the Government of the said High Contracting Party of his intention to employ her in whaling and has received a certificate of notification from the said Government.

Nothing in this article shall prejudice the right of any High Contracting Party to require that, in addition, a licence shall be required from his own authorities by every vessel desirous of using his territory or territorial waters for the purposes of taking, landing or treating whales, and such licence may be refused or may be made subject to such conditions as may be deemed by such High Contracting Party to be necessary or desirable, whatever the nationality of the vessel may be.

## ARTICLE 9

The geographical limits within which the articles of this Convention are to be applied shall include all the waters of the world, including both the high seas and territorial and national waters.

## ARTICLE 10

1. The High Contracting Parties shall obtain, with regard to the vessels flying their flags and engaged in the taking of whales, the most complete biological information practicable with regard to each whale taken, and in any case on the following points:

- (a) Date of taking;
- (b) Place of taking;
- (c) Species;
- (d) Sex;
- (e) Length; measured, when taken out of water; estimated, if cut up in water;
- (f) When fœtus is present, length and sex if ascertainable;
- (g) When practicable, information as to stomach contents.

2. The length referred to in sub-paragraphs (e) and (f) of this article shall be the length of a straight line taken from the tip of the snout to the notch between the flukes of the tail.

## ARTICLE 11

Each High Contracting Party shall obtain from all factories, on land or afloat, under his jurisdiction, returns of the number of whales of each species treated at each factory and of the amounts of oil of each grade and the quantities of meal, guano and other products derived from them.

## ARTICLE 12

Each of the High Contracting Parties shall communicate statistical information regarding all whaling operations under their jurisdiction to the International Bureau for Whaling Statistics at Oslo. The information given shall comprise at least the particulars mentioned in Article 10 and: (1) the name and tonnage of each floating factory; (2) the number and aggregate tonnage of the whale catchers; (3) a list of the land stations which were in operation during the period concerned. Such information shall be given at convenient intervals not longer than one year.

## ARTICLE 8

Aucun navire des Hautes Parties contractantes ne pourra se livrer à la capture ou au traitement des baleines sans qu'une licence spéciale ait été concédée à ce navire par la Haute Partie contractante dont il porte le pavillon, ou sans que son propriétaire ou affrèteur ait notifié au gouvernement de cette Haute Partie contractante son intention d'utiliser ce navire pour la chasse à la baleine et qu'il ait reçu dudit gouvernement une attestation de cette notification.

Le présent article ne porte nullement atteinte au droit, pour l'une quelconque des Hautes Parties contractantes, d'exiger, en outre, une licence émanant de ses propres autorités, pour tout navire désireux d'utiliser son territoire ou ses eaux territoriales en vue de capturer, d'amener à terre ou de traiter des baleines. La délivrance de cette licence pourra être, soit refusée, soit subordonnée aux conditions que la Haute Partie contractante intéressée estimera nécessaires ou opportunes, quelle que soit la nationalité du navire.

## ARTICLE 9

La zone géographique d'application des articles de la présente Convention s'étendra à toutes les eaux du monde entier, y compris à la fois la haute mer et les eaux territoriales et nationales.

## ARTICLE 10

1. Les Hautes Parties contractantes devront obtenir des navires baleiniers portant leur pavillon les renseignements les plus complets possible au point de vue biologique sur chaque baleine capturée, et en tout cas en ce qui concerne les points suivants:

- (a) Date de la capture;
- (b) Lieu de la capture;
- (c) Espèce;
- (d) Sexe;
- (e) Longueur, mesurée si l'animal est retiré de l'eau; approximative si la baleine est découpée dans l'eau;
- (f) S'il y a un fœtus, longueur du fœtus et son sexe, s'il peut être déterminé;
- (g) Renseignements sur le contenu de l'estomac, lorsque cela est possible.

2. La longueur mentionnée aux paragraphes (e) et (f) du présent article sera celle de la ligne droite depuis l'extrémité du museau jusqu'à l'intersection des nageoires caudales.

## ARTICLE 11

Chacune des Hautes Parties contractantes se fera adresser par toutes les usines, flottantes ou établies sur la terre ferme, soumises à sa juridiction, des relevés indiquant le nombre des baleines de chaque espèce traitées dans chacune des usines et les quantités d'huile de chaque qualité, poudre, guano et autres sous-produits tirés de ces baleines.

## ARTICLE 12

Chacune des Hautes Parties contractantes communiquera les renseignements statistiques relatifs aux opérations, concernant les baleines, qui ont eu lieu dans le ressort de leur juridiction, au Bureau international de Statistiques baleinières, à Oslo. Les renseignements fournis devront comprendre au moins les détails mentionnés à l'article 10 et: 1° le nom et le tonnage de chaque usine flottante; 2° le nombre et le tonnage global des navires baleiniers; 3° une liste des stations terrestres ayant fonctionné au cours de la période envisagée. Ces renseignements seront fournis à des intervalles appropriés ne dépassant pas une année.

## ARTICLE 13

The obligation of a High Contracting Party to take measures to ensure the observance of the conditions of the present Convention in his own territories and territorial waters, and by his vessels, shall not apply to those of his territories to which the Convention does not apply, and the territorial waters adjacent thereto, or to vessels registered in such territories.

## ARTICLE 14

The present Convention, the French and English texts of which shall both be authoritative, shall remain open until the thirty-first of March 1932 for signature on behalf of any Member of the League of Nations or of any non-member State.

## ARTICLE 15

The present Convention shall be ratified. The instruments of ratification shall be deposited with the Secretary-General of the League of Nations, who shall notify their receipt to all Members of the League of Nations and non-member States indicating the dates of their deposit.

## ARTICLE 16

As from the first of April 1932, any Member of the League of Nations and any non-member State, on whose behalf the Convention has not been signed before that date, may accede thereto.

The instruments of accession shall be deposited with the Secretary-General of the League of Nations, who shall notify all the Members of the League of Nations and non-member States of their deposit and the date thereof.

## ARTICLE 17

The present Convention shall enter into force on the ninetieth day following the receipt by the Secretary-General of the League of Nations of ratifications or accessions on behalf of not less than eight Members of the League or non-member States, including the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland.

As regards any Member of the League or non-member State on whose behalf an instrument of ratification or accession is subsequently deposited, the Convention shall enter into force on the ninetieth day after the date of the deposit of such instrument.

## ARTICLE 18

If after the coming into force of the present Convention the Council of the League of Nations, at the request of any two Members of the League or non-member States with regard to which the Convention is then in force, shall convene a Conference for the revision of the Convention, the High Contracting Parties agree to be represented at any Conference so convened.

## ARTICLE 19

1. The present Convention may be denounced after the expiration of three years from the date of its coming into force.

2. Denunciation shall be effected by a written notification addressed to the Secretary-General of the League of Nations, who shall inform all the Members of the League and the non-member States of each notification received and of the date of its receipt.

3. Each denunciation shall take effect six months after the receipt of its notification.



## ARTICLE 13

L'obligation, pour l'une quelconque des Hautes Parties contractantes, de prendre des mesures en vue d'assurer l'observation des dispositions de la présente Convention dans ses territoires et dans ses eaux territoriales et par ses navires, sera limitée à ceux des ces territoires auxquels s'applique la Convention et aux eaux territoriales contiguës, ainsi qu'aux navires immatriculés dans ces territoires.

## ARTICLE 14

La présente Convention, dont les textes français et anglais feront également foi, pourra être signée, jusqu'au trente et un mars 1932, au nom de tout Membre de la Société des Nations ou de tout Etat non membre.

## ARTICLE 15

La présente Convention sera ratifiée. Les instruments de ratification seront déposés auprès du Secrétaire général de la Société des Nations, qui en notifiera le dépôt à tous les Membres de la Société des Nations et aux Etats non membres, en indiquant les dates auxquelles ces dépôts ont été effectués.

## ARTICLE 16

A partir du premier avril 1932, tout Membre de la Société des Nations et tout Etat non membre au nom duquel la Convention n'a pas été signée à cette date, pourra y adhérer.

Les instruments d'adhésion seront déposés auprès du Secrétaire général de la Société des Nations, qui notifiera le dépôt et la date de ce dernier à tous les membres de la Société des Nations et aux Etats non membres.

## ARTICLE 17

La présente Convention entrera en vigueur quatre-vingt-dix jours après que le Secrétaire général de la Société des Nations aura reçu des ratifications ou des adhésions au nom d'au moins huit Membres de la Société des Nations ou Etats non membres. Dans ce nombre doivent être compris le Royaume de Norvège et le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord.

A l'égard de chacun des Membres ou Etats non membres au nom desquels un instrument de ratification ou d'adhésion sera ultérieurement déposé, la Convention entrera en vigueur le quatre-vingt-dixième jour après la date du dépôt de cet instrument.

## ARTICLE 18

Si, après l'entrée en vigueur de la présente Convention et à la demande de deux Membres de la Société, ou deux Etats non membres, à l'égard desquels la présente Convention sera à ce moment en vigueur, le Conseil de la Société des Nations convoque une conférence pour la revision de la Convention, les Hautes Parties contractantes s'engagent à s'y faire représenter.

## ARTICLE 19

1. La présente Convention pourra être dénoncée à l'expiration d'une période de trois années à partir de la date à laquelle elle sera entrée en vigueur.

2. La dénonciation de la Convention s'effectuera par une notification écrite, adressée au Secrétaire général de la Société des Nations, qui informera tous les Membres de la Société et les Etats non membres de chaque notification, ainsi que de la date de la réception.

3. La dénonciation prendra effet six mois après la réception de la notification.

## ARTICLE 20

1. Any High Contracting Party may, at the time of signature, ratification or accession, declare that, in accepting the present Convention, he does not assume any obligations in respect of all or any of his colonies, protectorates, overseas territories or territories under suzerainty or mandate; and the present Convention shall not apply to any territories named in such declaration.

2. Any High Contracting Party may give notice to the Secretary-General of the League of Nations at any time subsequently that he desires that the Convention shall apply to all or any of his territories which have been made the subject of a declaration under the preceding paragraph, and the Convention shall apply to all the territories named in such notice ninety days after its receipt by the Secretary-General of the League of Nations.

3. Any High Contracting Party may, at any time after the expiration of the period of three years mentioned in Article 19, declare that he desires that the present Convention shall cease to apply to all or any of his Colonies, protectorates, overseas territories or territories under suzerainty or mandate and the Convention shall cease to apply to the territories named in such declaration six months after its receipt by the Secretary-General of the League of Nations.

4. The Secretary-General of the League of Nations shall communicate to all the Members of the League of Nations and the non-member States all declarations and notices received in virtue of this article and the dates of their receipt.

## ARTICLE 21

The present Convention shall be registered by the Secretary-General of the League of Nations as soon as it has entered into force.



## ARTICLE 20

1. Chacune des Hautes Parties contractantes peut déclarer, au moment de la signature, de la ratification ou de l'adhésion, que par son acceptation de la présente Convention, elle n'entend assumer aucune obligation en ce qui concerne l'ensemble ou toute partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa suzeraineté ou son mandat; dans ce cas, la présente Convention ne sera pas applicable aux territoires faisant l'objet d'une telle déclaration.

2. Chacune des Hautes Parties contractantes pourra ultérieurement notifier au Secrétaire général de la Société des Nations qu'elle entend rendre la présente Convention applicable à l'ensemble ou à toute partie de ses territoires ayant fait l'objet de la déclaration prévue au paragraphe précédent. Dans ce cas, la Convention s'appliquera à tous les territoires visés dans la notification quatre-vingt-dix jours après la réception de cette notification par le Secrétaire général de la Société des Nations.

3. Chacune des Hautes Parties contractantes peut, à tout moment après l'expiration de la période de trois ans prévue à l'article 19, déclarer qu'elle entend voir cesser l'application de la présente Convention à l'ensemble ou à toute partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa suzeraineté ou son mandat; dans ce cas, la Convention cessera d'être applicable aux territoires faisant l'objet d'une telle déclaration six mois après la réception de cette déclaration par le Secrétaire général de la Société des Nations.

4. Le Secrétaire général de la Société des Nations communiquera à tous les membres de la Société des Nations et aux Etats non membres les déclarations et notifications reçues en vertu du présent article, ainsi que les dates de leur réception.

## ARTICLE 21

La présente Convention sera enregistrée par le Secrétaire général de la Société des Nations dès qu'elle sera entrée en vigueur.

IN FAITH WHEREOF the above-mentioned Plenipotentiaries have signed the present Convention.

DONE at Geneva, on the twenty-fourth day of September one thousand nine hundred and thirty-one, in a single copy which shall be kept in the archives of the Secretariat of the League of Nations and of which certified true copies shall be delivered to all the Members of the League of Nations and to the non-member States.

EN FOI DE QUOI les Plénipotentiaires susmentionnés ont signé la présente Convention.

FAIT à Genève, le vingt-quatre septembre mil neuf cent trente et un, en un seul exemplaire qui sera conservé dans les archives du Secrétariat de la Société des Nations et dont copie certifiée conforme sera remise à tous les Membres de la Société et aux Etats non membres.

ALBANIA

Lee KURTI

ALBANIE

GERMANY

Dr. Hans Hermann VÖLCKERS

ALLEMAGNE

UNITED STATES OF AMERICA

Hugh R. WILSON

ETATS-UNIS D'AMÉRIQUE

BELGIUM

HYMANS

BELGIQUE

GREAT BRITAIN AND NORTHERN IRELAND, and all parts of the British Empire which are not separate Members of the League of the Nations.

GRANDE-BRETAGNE ET IRLANDE DU NORD, ainsi que toutes parties de l'Empire britannique non membres séparés de la Société des Nations.

CECIL

CANADA

H. GUTHRIE

CANADA

COMMONWEALTH OF AUSTRALIA

JAMES R. COLLINS

COMMONWEALTH  
D'AUSTRALIE

NEW ZEALAND

Thomas M. WILFORD

NOUVELLE-ZÉLANDE

UNION OF SOUTH AFRICA

C. T. TE WATER

UNION SUD-AFRICAINE

INDIA

B. L. MITTER

INDE

COLOMBIA

A. J. RESTREPO

COLOMBIE

DENMARK

William BORBERG

DANEMARK

Avec réserve, jusqu'à nouvel ordre, pour ce qui concerne le Groenland—  
*Translation:* With reservation, until further notice, as regards Greenland

SPAIN	A. LERROUX	ESPAGNE
FINLAND	Evald GYLLENBÖGEL	FINLANDE
FRANCE	Louis ROLLIN	FRANCE
GREECE	R. RAPHAËL	GRÈCE
ITALY	Augusto Rosso	ITALIE
MEXICO	S. Martinez DE ALVA	MEXIQUE
NORWAY	Birger BRAADLAND	NORVÈGE
THE NETHERLANDS		PAYS-BAS
Pour le Royaume en Europe et les Indes néerlandaises— <i>Translation: For the Kingdom in Europe and the Netherlands Indies</i> BEELAERTS VAN BLOKLAND		
POLAND	Auguste ZALESKI	POLOGNE
ROUMANIA	C. ANTONIADE	ROUMANIE
SWITZERLAND	MOTTA	SUISSE
CZECHOSLOVAKIA	Zd. FIERLINGER	TCHÉCOSLOVAQUIE
TURKEY	Cemal HÜSNÜ	TURQUIE
YUGOSLAVIA	Dr. V. MARINKOVITCH	YUGOSLAVIE

# CONVENTION FOR THE REGULATION OF WHALING<sup>1</sup>

## RATIFICATIONS OR DEFINITIVE ACCESSIONS

Countries	Date of deposit of ratifications or definitive accession
United States of America.....	July 7th, 1932
Austria .....	January 2nd, 1936 (a)
Brazil .....	November 21st, 1932 (a)
Great Britain and Northern Ireland.....	October 18th, 1934
His Majesty does not assume any obligations in respect of any of His colonies, protectorates, overseas territories or territories under suzerainty or under mandate exercised by His Majesty's Government in the United Kingdom.	
Canada .....	December 12th, 1935
New Zealand .....	October 16th, 1935
Union of South Africa.....	January 11th, 1933
Czechoslovakia .....	October 20th, 1933
Denmark (including Greenland).....	June 26th, 1934
Ecuador .....	April 13th, 1935 (a)
Egypt .....	January 25th, 1933 (a)
Finland .....	March 21st, 1936
France .....	May 16th, 1935
Italy .....	June 12th, 1933
The accession of the Italian Government to this Convention can in no way constitute a precedent for future agreements providing for the limitation of fishing in extra-territorial sea.	
Latvia .....	September 17th, 1935 (a)
Mexico .....	March 13th, 1933
Monaco .....	June 7th, 1932 (a)
The Netherlands (including the Netherlands Indies, Surinam and Curaçao) .....	May 30th, 1933
Nicaragua .....	April 30th, 1932 (a)
Norway .....	July 18th 1932
Poland .....	September 27th, 1933
Sudan .....	April 13th, 1932 (a)
Spain .....	August 2nd, 1933
Switzerland .....	February 16th, 1933
Turkey .....	May 28th, 1934
Yugoslavia .....	January 16th, 1934

<sup>1</sup> This Convention came into force on January 16th, 1935, in accordance with its Article 17.  
(a) Accession.











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